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**Contributions from applied research and
literature: understanding the challenges of
community, social, and cultural formations**

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Ethnic Studies Review (ESR) is the journal of the National Association for Ethnic Studies (NAES). ESR is a multi-disciplinary international journal devoted to the study of ethnicity, ethnic groups and their cultures, and inter-group relations. NAES has as its basic purpose the promotion of activities and scholarship in the field of Ethnic Studies. The Association is open to any person or institution and serves as a forum for its members in promoting research, study, and curriculum as well as producing publications of interest in the field. NAES sponsors an annual spring conference.

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community, social, and cultural formations**

General Editor: Otis L. Scott

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Editor's Notes

This double issue features a range of articles which explore topics, issues and subject matter important to ethnic studies scholars, students, and the general public. In an important interdisciplinary way, these articles are each interdisciplinary explorations into the multi varied ethnic group experience. Some of these pieces provide research focused examinations of the life and living in ethnic communities. Other articles provide literary analyses of the challenges and rewards of life in ethnic communities. Still other articles offer critical perspectives regarding the social justice challenges facing ethnic groups as they attempt to successfully navigate institutional challenges still impeding the quest for social justice.

Robert Koehler's "Petit Apartheid and the 'TB' Syndrome: Police Racial Profiling of Chicana/o Youths in San Jose, California" provides a interesting and informative study of how Chicana/o and Asian American youths in a large California city are objects of police profiling. Mariela Nuñez- Janes' "Diversity as an Oriental Discourse" drawing perspectives from Edward Said's work, provides an interesting critique of how diversity concepts and practices have become essentialized and therefore, ineffective. Laveme M. Lewycky, in "Canadian Multiculturalism Ideology: Mere Tolerance or Full Acceptance" points our attention to the evolution of multiculturalism in Canada from tolerance to what he identifies as full acceptance of ethnic and racial diversity.

In "The Ties That Bind: Asian American Communities without 'Ethnic Spaces' in Southeast Michigan," Barbara Kim, presents the results of her research focusing on how Asian Americans in southeastern Michigan develop and maintain functioning ethnic communities despite not having a "critical mass." Scott Finnie's article, "Debating Affirmative Action in Higher Education: The Controversy Over College Admissions and Racial Preferences" adds perspective to the ongoing dialectic over the legality of affirmative action in post secondary institutions. In " 'For a few days we would be... dwellers in Africa'": Jessie Redmon Fauset's *Dark Algiers the White*", Claire Garcia provides interesting treatment of Fauset's activist experience and perspectives while making the case that Fauset's life can assist with understanding complex human relationships and especially those where power and domination have been/are central to such formations.

Heather D. Clark's, "Signing & Signifyin': Negotiating Deaf and African American Identities" importantly, introduces us to the cultural needs of deaf African Americans and

how they meet their needs in a larger community oblivious of what it means to be deaf and African American. In “Chinese Americans and the Borderland Experience on Golden Mountain: The Development of a Chinese American Identity in *The Woman Warrior: Memoirs of a Girlhood Among Ghosts*” Diane Todd Bucci essays how the concept of borderlands can be used to better to understand how one can find personal success through coming to terms with ones ethnic identities. “‘Their Sleep is to Be Desecrated’: California’s Central Valley Project and the Wintu People of Northern California, 1938-1943 won the Phillip G. Davies graduate student award at the 2006 annual meeting of the National Association for Ethnic Studies. April Famham, the author, is a graduate student at California State University, Sacramento.

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**PETIT APARTHEID AND THE “TB” SYNDROME: POLICE RACIAL
PROFILING OF CHICANA/O YOUTHS IN SAN JOSE, CALIFORNIA**

Robert Koehler
Harvard Divinity School

I like to go out on Friday nights and Saturday nights and join up with my homies and walk around the hot spots and get some food. I like to check out the girls and see if I can get something going with them. But every weekend the cops stop me. What the fuck for? I go to school everyday and get treated like a criminal and then, when I want to step out of my house...I get treated like a criminal again! I have never been arrested for nothing! But I always get stopped for walkin' down the street. For walkin' down the street! Am I in a gang (the police ask)? Who's in a gang? Who's carrying a gun, a disrespectful attitude, and stopping people for nothing? The police gang. You don't see me with a gun or knife or harassing anyone! I'm just tryin' to walk down the fucking street
an anonymous sixteen year-old Chicano (*Author*, 2004)

INTRODUCTION

This study examined police racial profiling (PRP) of Chicana/o youths in San Jose, California, when they were outside of, or walking to/from, Taco Bell restaurants (TBs). Dickey found the San Jose Police Department (SJPd) labeled TBs “the fast-food choice of gangs” and “a tremendous problem for law enforcement” because some gangs have established individual Taco Bells as “their turf” (Sept. 19, 1993: 1B). Chicana/o activists claimed police harassed “youths at Taco Bells without cause and dismissed the idea that the fast-food restaurants have become the choice of gang members” (Dickey: 1B). Years after designation of TBs as gang turf, Chicana/o youths claim harassment by police at/near TBs continues (*Author* 2003).

The alleged harassment purportedly increases on Friday and Saturday nights. According to a twenty-six year-old Chicano, “Even when I was a kid the cops would stop us at Taco Bell and tell us we were loitering in the parking lot, but we were eating, and then they asked us all type of stupid questions and it still has not stopped. That’s why I don’t go there at night anymore” (*Author*, 2004). He refused to patronize TBs, as he believed police would question him, especially on weekend nights when police presence was greater at/near TBs. A sixteen year-old and a twenty-two year-old, stated that police questioning and detainment of Chicana/o youths at/near TBs is known as the Taco Bell, or TB, syndrome because “When you’re Chicano and you get near a Taco Bell you automatically become a criminal and get questioned” (*Author*, 2002). This study found that Chicana/o and Asian American, predominately Vietnamese American, youths had higher police questioning and stop-and-frisk episodes (PQSFE) than White youths at/near TBs. Police racially

profiling, stopping, questioning, and frisking minority youths are petit apartheid practices based in pre-civil rights de jure racism.

De jure racism transformed into de facto racism. Criminal justice policies and practices preserved via de jure oppression changed into discrimination under the guise of discretion. Prior grand apartheid, oppressive laws, transformed into a petit apartheid system of accepted mores and way of life (Milovanovic & Russell 2001: xii). Institutional racism, derived from America's historical overt racism, codifies and legitimates itself by de jure means (Georges-Abeyie 1990: 28). Petit apartheid is the daily insults, harsh conduct, and racially motivated police stops, questionings, and searches of minorities; the mistreatment of minority suspects and arrestees; the inferior value, clearness, and impartiality of judges' directions to jurors when minorities are on trial; acceptance of inferior standards of evidence resulting in convictions of minorities, and; other retaliatory discretionary undertakings by the criminal justice system, correctional guards and administrators, and jurors (Milovanovic & Russell: viii). Petit apartheid explains San Jose police officers' discretionary tactics that are accepted law enforcement.

The backstage aids in explaining why PRP, "the inappropriate consideration by law enforcement of race or ethnicity in deciding with whom and how to intervene in an enforcement capacity," of minority youths is sanctioned (Fridell 2004: 1). The backstage is "relative to a given performance, where the impression fostered by the performance is knowingly contradicted as a matter of course" (Goffman 1973: 112). The backstage is where racially-biased decisions are fashioned (i.e., police designating minority youths for PQSFE). The back region is not a formal stage (i.e., arrest), so there is little, if any, official record of decision-making or if race was a determinant. Consequently, racially motivated decisions formulated in the backstage are presented to the public as racially neutral (Milovanovic & Russell: 6). Backstage events, such as decisions to enact racial profiling through baseless police stops and questioning of minority youths, occur in public but are acceptable and subtle practices that harm those profiled.

There are two intertwined harms from PRP: harms of reduction and harms of repression. Harms of reduction occur when a slighted individual suffers a loss of some condition relative to their existing status whereas harms of repression occur when an individual suffers a constraint precluding them from realizing a preferred status (Milovanovic & Russell: xvi). An example of a harm of repression is when women and men of color are denied advancement in their profession due to sexism and/or racism. An example of a harm of reduction is police stopping minority motorists solely due to their race, the police reduce the motorist from equal citizenship status with whites by racial profiling and targeting for motorist stops. These harms move an individual away from a position they presently occupy, or deny them a desired position (Milovanovic & Russell: xvi). They are harmful because they belittle, demean, ridicule or subordinate, and limit access to equal opportunity and justice before the law (e.g., DWBB [driving while Black or Brown], SWBB [standing while Black or Brown]). Police petit apartheid practices combine with backstage decisions to limit access of minorities and poor to public space.

THE ORIGINS OF POLICE RACIAL PROFILING AND RACE, SPACE, AND PLACE

Preservation of spatial sovereignty is the primary state function and ranges from national security to domestic spaces (Bass 2001: 43). Racial and spatial policing have been legitimated in governmental policies such as Manifest Destiny, the Indian reservation system, varied Asian Exclusion Acts, Japanese American Internment during World War II, and restrictions on legal and illegal immigration (Fagan & Davies 2000: 459). The term “racial profiling” came into use in the 1990s, but concerns about racially based police decisions date back centuries (Fridell: vi).

Slave codes were fundamental to American criminal law from 1619 to 1865 (Russell 1998: 14). In 1693 Philadelphia, free and slave Blacks faced detention if found on city streets without a pass from their master (Maclin 1998: 435). Slave patrols enforced the codes and prevented Blacks from transgressing the physical, social, and psychological spaces that maintained White hegemony. Slave patrols were early spatial police. With the end of slavery, Southern White Americans shaped the Black Codes prolonging domination of Blacks. As the potency of the Black Codes diminished under legal attacks, Southerners fashioned Jim Crow laws. These laws reaffirmed and reminded Blacks of their lesser place (Bass: 45). Jim Crow laws, like Slave and Black Codes, set race-based guidelines for the social spaces Blacks could occupy. Such space laws set physical space boundaries and psychological space and place boundaries. They prevented social intermixing of Whites and Blacks while maintaining the superior, clean, status of Whites and the inferior, polluted, status of Blacks. Significant in these codes and laws was preservation of race-based hierarchies. Similar laws and hierarchies applied to Chicana/os.

After the Mexican American War, Chicana/os in the Southwest had similar experiences to Blacks. Despite the Treaty of Guadalupe Hidalgo’s guarantees, an array of legal and extralegal measures removed Chicana/os from their land. The state created a double standard of justice to preserve White interests and subordinate Chicana/os (Mirandé 1987: 2 and 23). The Texas Rangers became spatial police of the late nineteenth-century Southwest. They limited Chicana/os access to White physical, social, and psychological space. The Texas Rangers combined vigilantism with legally sanctioned state violence (Mirandé: 67). Furthermore, Mirandé contended that rank-and-file law enforcement officers perpetrated beatings and killings of Chicana/os along the border in the 1970s (23). After generations of conflict Chicana/os, especially male youths, distrust the police (Mirandé 1981; Morales 1972: 2). Mirandé termed police attitudes and practices toward Chicana/os “gringo justice” (1987).

RACE, SPACE, AND PLACE IN TWENTY-FIRST CENTURY AMERICA

The segregation of Blacks into ghettos and Chicana/os into barrios, and restrictions on their movement in urban spaces limited their civil liberties (Bass: 45). Economic restructuring increased urban poverty and constructed new spaces endangered by poverty. Poverty increased regulation and exclusion and gave rationale for the rise of zero tolerance/quality of life policing (Parenti 1999: 70). Exclusion to/in social space is routine to urban life (Sibley 1995: xiv).

Cities segregated into areas for clean (White, middle and upper class) and polluted (minority and/or lower class). These stereotypes are fundamental to the construction of social and spatial exclusion (Sibley: 18). The clean live in socially purified neighborhoods (Sibley: 38 and 77). To the disenfranchised such spaces comprise landscapes of domination. They are alienating and action by the disenfranchised represents deviancy and immorality/pollution to the privileged (Sibley: 76). Police enact public and backstage polices that maintain the social purity of affluent neighborhoods. They ensure polluted do not cross into clean space. Policing segregated areas differs from policing predominantly white neighborhoods as “residential segregation created cognitive boundaries that defined those places that were relegated to racial minorities and those that were not. African Americans, and other minorities, who venture outside their neighborhoods were often subject to police harassment for having the temerity to circulate ‘out of their place’” (Bass: 45-6). Clean spaces emphasize order and social homogeneity preserved by unmistakable delineation of boundaries between clean and polluted and emphasizing conformity and identification of deviance. Spatial boundaries are moral boundaries (Sibley: 39).

New tactics in urban control seek to regain public spaces while removing unwanted populations and regulating “the meaning of such people and spaces as well” (Cole 2001: 14). Cultural spaces can have meanings that “vary based on one’s knowledge, beliefs, and experience but provide the basis for one’s visualization of that particular place” (Frazier, Margai & Tettey-Fio 2003: 9). Because public spaces have contested cultural meanings and identities, they are essential zones of conflict and control (Frazier et al.: 14). Urban sociospatial processes are essential in understanding the racialized geographies of cities (McCann 1999: 168). Capitalist societies require and generate abstract space distinguished by social fragmentation, homogenization, and hierarchization (McCann: 170).

Abstract space is represented by elite as “homogeneous, instrumental, and ahistorical” in order to realize state supremacy and the free flow of capital that allows downtown business districts to be the almost exclusive domain of White, middle-class males (McCann: 164). Meanings conveyed by abstract space are generally prohibitions. Abstract symbols and meanings defend elite spaces, wealthy neighborhoods, and gated communities (Ferrell, 2001, pp. 5 and 11). Policed public spaces keep encounters between “clean” and “polluted” to a minimum.

There is an imperfect assignment of abstract space (commodified/bureaucratized) above concrete space (everyday life/experience) (McCann: 168). For abstract space to become dominant there must be an attempt to designate the appropriate meanings and activities within that space (168). This involves an agreement to pacifism and formation of spatial economy in which people engage in

relationships with capitalist enterprises (i.e., theatres, restaurants, and cafes). The rise of abstract space necessitates disregarding city's racialized geography and history and creating an impression of homogeneity and unity that must be "achieved and maintained through a continued state-sponsored process of fragmentation and marginalization that elides difference and thus attempts to prevent conflict" (168-70). Prohibited individuals intrusion into forbidden space results in prosecution for unlawful entry. State prosecution can be via the police and policies formulated in the backstage such as intimidation, beatings, PQSFE, and driving the polluted outside city limits and leaving them ("starlight tours") (Razack 2002: 8).

POLICE STOP-AND-FRISKS: TERRY V. OHIO

Before *Terry v. Ohio* in 1968, police could only stop-and-frisk, a criminal search and seizure, pedestrians with probable cause that the individual(s) had committed a crime, was committing a crime, or posed a danger to the officer and/or public (Cole 1999: 17; Hamis 1994a: 660; Hamis 1997a: 660; Saleen 1997: 456; Ogletree, Jr. et al. 1995: 23). *Terry* allowed police to stop an individual for questioning and frisk them, conduct a cursory pat down of their clothing, upon reasonable suspicion that criminal activity was taking place or imminent, and to locate weapons (Hamis 1994a: 660; 1994b: 5). *Terry* allowed substantial state intrusion into citizens' right of locomotion (Hamis 1994a: 663) and paved the way for police practices that violate the personal and physical safety of individuals stopped under reasonable suspicion (Maclin 1998: 1278) and increased the number of arbitrary stops and frisks (Rudovsky 2002: 33). Reasonable suspicion in pedestrian stops allowed police to base stops more on discretion and deference, primarily in the backstage, than on observance of crime. Discretion entails how police define and exercise law enforcement functions while deference is the vast leeway, or lack of recognition of constitutional and human rights, courts grant police (Magee 1994: 173). The fewer restrictions on how police interact with citizens, the greater, and more extensive, their discretion (Brooks 1997: 151).

In 1968, *Sibron v. New York* and *Peters v. New York* upheld the right to stop-and-frisk an individual(s) if police had reasonable suspicion that criminal activity was occurring or imminent and/or that danger existed to the officer and/or public (Saleen 1997: 459). This ruling concurred with *Terry* and reinforced the move from probable cause to reasonable suspicion. Stop-and-frisks were to occur in matters of criminal activity and safety only and not as investigatory searches for evidence of other crimes or potential crimes (459). Police stop-and-frisks appear to be custodial arrests in which pedestrians do not feel free to leave.

Minority pedestrian/motorist's reasonable-person standard of when they feel free to end a police encounter differs from the reasonable-person standard of most White pedestrians/ motorists (Cole 1999: 26-7). Minorities stopped by police feel less inclined to walk away from an encounter due to prior negative police experiences (i.e., they fear for their safety). Latina/os are subject to police stops (Fagan & Davies 2000; Spitzer 1999; Walker 2001) and arrests at rates disproportionate to their

percentage of the population (Carter 1986; Petersilia 1983) and shot and killed by police twice as often as Whites (Geller 1988). Minorities who live in police-designated “high crime areas” have high stop-and-frisk rates and some attempt to evade police. Location coupled with evasion results in increased stops and frisks of minorities (Harris 1994a: 660 and 681). Minorities who fear police cannot walk or run from police as walking or running from police now constitutes reasonable suspicion for a stop-and-frisk (Thaman 2000: 1006).

Therefore, police can use greater coercion against minorities than Whites during stops as minorities may feel they are under custodial arrest (i.e., full seizure). Scholars have argued that police, as representatives of the state, have the right to the legitimate use of force and legitimate use of coercion (Brown: 181). The courts have failed to limit police discretion or clearly distinguish between legitimate and illegitimate use of force and coercion.

POLICE RACIAL PROFILING

The Fourth Amendment prohibits police stopping or detaining a person unless they have reasonable suspicion the individual is involved in criminal activity. The courts, however, allow police to utilize motorist and pedestrian stops as pretext to seek evidence of crime (Milovanovic & Russell 2001: 28). These stops are controversial but courts have upheld their constitutionality. Police have wide discretion to conduct stops in which unlimited discretion increases the opportunity for discriminatory practices (Walker, Spohn, and DeLone 1996: 101). PRP extends beyond uncorrupted traffic/pedestrian stops. Driving while Brown or Black may be the excuse for a motorist stop and walking while Brown or Black can be the excuse for PQSFE.

PRP assumes that the majority of drug offenders and gang members are minorities (Harris 1999: 2-4). These assumptions derive from police evaluations of the moral character of people they interact with and transforming these evaluations into distributive justice (Brooks 1997: 153; Van Maanen 1974). PRP, especially drug courier profiling, is distributive justice aimed at Blacks and Latina/os (Allen-Bell 1997; Harris 1999: 3-5). Furthermore, when police focus drug enforcement policies on Blacks and Latina/os and stop them for street sales of crack and heroin while overlooking White drug dealing, they logically find a disproportionate number of Blacks and Latina/os, and a minimal number of Whites, using and dealing drugs (Harris: 3). Police perceptions of minorities as criminal (i.e., involved in gangs, and drug use/dealing) leads to more stops of minority drivers and more PQSFE of minority youths. These perceptions result in crimes committed by Whites (i.e., manufacturing and selling ecstasy and methamphetamines) going unnoticed by police (Harris: 3 and 6-8). Furthermore, police stereotyping of minorities as “criminal” results in paranoia in individuals negotiating public spaces (Austin 1992: 173).

Police use the CARD (class, age, race, and dress) system to identify and label youth as gang members. Gang profiling associates minority youths with a set of descriptors, photographing them, and placing their names and photos in a database of known gang members (Villamuel et al. 2004: 95-

6). A youth's class, age, race, dress, neighborhood, and socializing in a specific area does not mean he/she is a gang member (Reynoso 2002: 301). Such stops of youths constitute harassment as police stop youths for fitting a racial profile and not for criminal activity or suspicion of criminal activity (301).

Police stop minority pedestrians/motorists for being "in the wrong neighborhood." The use of the "out-of-place" doctrine posits that individual's race (i.e. skin color) is justification for pedestrian/motorist stops if they are in a predominantly White neighborhood (Russell 1998: 38). This practice involves police stereotyping of minorities and backstage decision-making that has backstage harms due to racial harassment. Race, not place, or clothing, is the primary reason for police use of CARD and out-of-place stops. When race is the main determinant for stops, minorities face a harsher set of laws than Whites and the Equal Protection Clause' forbiddance of race-based classification is violated (Allen-Bell 1997: 217-8; Larrabee 1997: 305).

These police attitudes and practices transmit deep costs to society. PRP rarely targets Whites in middle- and upper-class neighborhoods (Ogletree, Jr. et al. 1993: 21). Judgments derived from stereotyping and backstage decision-making result in placement of deviant cultural and social attributes on minorities. There is a subsequent increase in motorist/pedestrian stops, arrests, prosecutions, and sentencing disparity with White offenders (86, 94). Racial alienation, community distrust of police, and racial hoaxes (i.e., Whites blaming minorities for a crime to defer the blame from the real criminals) are further negative consequences of police stereotyping (Russell 1999: 730). Minority communities have low positive perceptions of, and trust in, police and these perceptions increase with PRP (Tyler 2002). Minorities may genuinely fear cooperating with police (Harris 1999: 268). For instance, minorities may view police authority as illegitimate due to previous negative encounters and this may affect their compliance with police (Tyler & Huo 2002; Lind & Taylor 1988; Reitzel et al 2004).

Minority youths innocence diminishes as they realize they do not possess equal citizenship with White youths. Minority pedestrians/motorists may be subjected to brutality, but more often to police microaggressions (i.e., personal affronts) and macroaggressions (i.e., group affronts) (Russell 1998: 138-9). Microaggressions are "subtle, stunning, often automatic and non-verbal exchanges which are 'put downs'" of minorities by Whites while macroaggressions are "attacks, insults, or pejorative statements made against Blacks" or other minorities (138-9). A 1995 NAACP study on police conduct in minority communities found that verbal abuse, disrespectful conduct, and harassment of stopped minorities was rampant (Ogletree, Jr. et al.: 40-1). Micro- and macroaggressions derive from police stereotyping and backstage decisions on whom to stop and the treatment they receive. Micro- and macroaggressions dehumanize minorities as criminals and open the door to police brutality (Cumming 1998: 408).

POLICE BRUTALITY IN SAN JOSE

San Jose, with a population of 894,943 in 2000 (City of San Jose, 2005a), has been touted as the “safest large city in the United States” and ranked “safest American city with a population over 500,000” in 2003 and 2004 (laborlawtalk.com 2005). However, San Jose has a history of police brutality and many minority citizens fear police and fail to report crimes, and/or fail to assist police investigations (Geilhufe 1979; Holmes 1998; Huang & Vaughn 1996). The San Jose Police Department’s developed a reputation for racism and brutality in the 1960s and 1970s (Christensen 1997: 7). The police killing of chemist John Henry Smith, Jr. in 1971 enhanced this reputation (Christensen 1997). San Jose police officer Rocklin Woolley stopped Smith, a thirty-seven year-old Black man, for making an illegal u-turn (Stuchinsky 1996). Woolley reported that Smith was angry and exited his vehicle brandishing a tire iron. Woolley was unable to subdue Smith though he reportedly attempted to do so with chemical spray and his police dog. When Smith ran toward his apartment complex, Woolley shot him in the back. Witnesses reported Smith yelling, “Help me, I’m afraid” before being shot (Stuchinsky 1996). Police Chief Robert Murphy stated that Smith was probably under the influence of drugs or alcohol though a autopsy indicated that Smith was under the influence of neither (Stuchinsky 1996).

In 1976, San Jose police officers investigating a domestic violence complaint shot and killed Danny Trevino (Christensen: 7). According to police, Trevino was reaching for a gun (never found) when shot. The officers did not have charges brought against them. The Chicana/o community protested and Police Chief Murphy was fired (7).

In 1994, a Santa Clara Sheriff’s Deputy stopped thirty-eight year-old Arthur Diaz behind a convenience store. Diaz had outstanding traffic warrants and it is uncertain why he began running. According to a witness, while Diaz was running down the sidewalk with his arms up the deputy’s vehicle ran him down from behind and then backed over him. Diaz did not have a weapon, had not committed a crime, and had not threatened anyone (Stolen Lives Project 1999). The California Highway Patrol found that the physical evidence and physicians’ reports did not support the deputy’s statement that Diaz ran into his car (Stolen Lives Project; Justice for Rudy 2004). Charges were not brought against the deputy.

In 1996, Santa Clara County Deputy Sheriff Tom Langley shot and killed Gustavo Soto-Mesa (Human Rights Defense Committee 2001). Soto-Mesa, a suspected drunk driver, refused to stop his vehicle and led the deputy on a four-mile chase that ended when Soto-Mesa crashed his vehicle into a parked boat-trailer (PORAC Legal Defense Fund 2000). Soto-Mesa crawled out of his wrecked vehicle and began to walk away from Langley when shot. Langley originally claimed he dropped his gun and it discharged killing Soto-Mesa. Langley later said his gun discharged while attempting to grab Soto-Mesa’s shirt. The hammer of his gun cocked when it caught on his badge and fired when the trigger caught on the pen in his breast pocket (PORAC Legal Defense Fund). Witnesses claimed Soto-Mesa’s death was an “execution-style killing” (Stolen Lives Project). A grand jury cleared Langley of any wrongdoing. The Human Rights Defense Committee formed in response to the killing and remains active (Sandler 1996).

In 1999, San Jose Police Officer Robert Reichert brutally beat nineteen year-old Aaron Rivera. Rivera had been attending a downtown Cinco de Mayo celebration when police, searching for a suspect who had hit another man and stolen his jacket, approached Rivera. Rivera ran to “avoid being stampeded by a crowd of people rushing toward him” from the conclusion of a concert at HP Pavilion (Zapler 2003). Police claimed Rivera had purposefully fled, was holding a long metal pipe, and fought with officers. Reichert hit Rivera numerous times with his baton fracturing Rivera’s skull and breaking one of his arms (Zapler 2003: 1).

Rivera never became a suspect in the jacket theft and a jury acquitted him of unlawful assembly, carrying a concealed weapon (no pipe was found), and deadlocked on the charge of resisting arrest. Rivera was guilty of fleeing from the police and given three years probation, forty-five days community service, and a \$1,000 fine. Rivera sued the city and was awarded \$390,000 in damages in 2003, though San Jose Police Chief Bill Lansdowne disagreed with the decision to settle the lawsuit. Lansdowne claimed, “It was my position that we should have tried that case and we could have won” (Zapler). The city did not charge Reichert with any crime. Reichert had gained notoriety for the fatal shooting of an armed motorist in 1997 and for threatening a Santa Clara County Jail inmate. San Jose/Silicon Valley NAACP Chairman Rick Callender claimed that Reichert had “proven to be dangerous. There is no way he should be a police officer anywhere in our nation” (Zapler: 1).

In 2003, police responded to an unsupervised child wandering in the street call. Upon arrival, the child was inside his home, which police entered. Within seconds of entering the home, San Jose Police Officer Chad Marshall shot and killed twenty-five year-old Cau Bich Tran (Bay City News 2005). Tran, a 4’11” 90 lb mother of two, had also called police to assist her in gaining entry to a room she had locked herself out of (Bay City News 2005). Tran had tried to “jimmie” the lock with a dao bao, a Vietnamese vegetable peeler, which police believed was a cleaver she was attempting to throw at them when shot (Asian Pacific Islander Legal Outreach 2003).

In 1999, there were twenty-five homicides in San Jose, of which seven were civilians who died from police shootings (Justice for Rudy 2004). The San Jose Human Rights Defense Committee compared data on “Fatal Police Shootings per 100,000 Residents” and “Homicide Rate per 100,000 Residents” from 1990-1997 for the twenty-seven largest U.S. cities. San Jose ranked fourth of the cities in fatal police shootings per 100,000 residents with 0.9 per 100,000 compared to the national average of 0.5 per 100,000 residents.

San Jose’s rate of three homicides per 100,000 residents was the lowest of the twenty-seven cities. The three cities with higher rates of fatal police shootings per 100,000 residents were Washington, D.C.; Detroit; and Baltimore. These cities claimed their high fatal police shooting rates were due to high crime and homicide rates of 72 per 100,000 residents in Washington, D.C.; 55 per 100,000 residents in Detroit, and; 46 per 100,000 residents in Baltimore (Justice for Rudy 2004). San Jose’s homicide rate is low so the rate of fatal police shootings per 100,000 residents might be expected to

be low. However, between 1990 and 2000, San Jose had the highest ratio of killings by police compared to overall homicide rate of the fifty largest U.S. cities (Maiden 2005a).

INITIAL STUDY OF TWO TACO BELLS: METHODOLOGY

Benchmarking and Sampling

In analyzing data on police vehicle stops, it is important to use comparison groups to create a benchmark to measure against stop data. This requires comparing the demographic profiles of motorists stopped by police to the demographic profiles of:

1. Local residents.
2. Residents with a driver's license.
3. People observed driving (Fridell 2004: 7).

This study examined pedestrian stops so there was no need for the demographic profiles of residents with a driver's license and those "observed driving" became those "observed walking." The demographic profiles of pedestrians took on less importance than the profiles of motorists. All pedestrians were local residents.

The study's intent was to examine racial bias, not necessarily gender or class bias, in stops. Benchmarking developed a racial/ethnic profile of individuals who should be at the highest risk of PQSFE, assuming no bias. This study recorded the ethnicity of youth pedestrians:

1. Stopped at/near TBs.
2. At/near TBs.
3. Stopped in Business Districts.
4. In Business Districts

The author conducted verbal surveys at twenty TB restaurants from October 2002 to January 2004. The survey sample consisted of 750 youths between the ages of twelve to twenty-five. The ethnicity of individuals stopped at/near TBs and, later, the ethnicity of individuals stopped in San Jose business districts were recorded. Pedestrian youths reported the number of times they:

1. Patronized TBs monthly.
2. Were stopped for questioning by SJPDP Officers.
3. Were stopped-and-frisked by SJPDP Officers.
4. Patronized TBs.

A benchmark compared the number and ethnicity of youth pedestrians at/near TBs to the number of youth pedestrians stopped by police at/near TBs. Recording the number of youth pedestrians by ethnicity and stops in business district created a further benchmark. Weaknesses of the survey method included respondents' inability to recall when a police stop occurred.

Research Design and Variables

This is an ex post facto comparative mixed design study with between-groups attribute independent variables of race/ethnicity and gender and dependent variables of number of police questionings over the previous twelve months, number of police stop-and-frisks over the previous twelve months, and total PQSFE over the previous twelve months. Gender is a within-subjects independent variable with two levels, male and female. Comparisons were made between police questionings, stop-and-frisks, and total PQSFE between race/ethnicity and males/females. Comparisons were made of police questionings, stop-and-frisks, and total PQSFE within race/ethnicity by gender.

Hypotheses to Explain Discrepancies in PQSFE by Ethnicity

There are five hypotheses for the existence of discrepancies in the percentages of pedestrians stopped by ethnicity. The first hypothesis is that police use racial bias in stop decisions (Fridell, 2004, p. 2). Fridell's competing hypotheses for why police stop minority drivers at a higher rate than White drivers are that racial/ethnic groups are not equally represented:

1. As residents in the jurisdiction.
2. As drivers on jurisdiction roads.
3. In the nature and extent of their pedestrian law-violating behavior.
4. As drivers where stopping activity by police is high (12).

These hypotheses focused on motorist stops but were revised to analyze pedestrian stops. To conclude if racial bias was a factor in stops, the research must discount all other explanations for disparity. Analysis and interpretation of stop data would include all factors in the alternative propositions outlined by Fridell (12). The first competing hypothesis, "racial/ethnic groups are not equally represented as residents in the jurisdiction" compares census data of the racial/ethnic population of San Jose with the ethnicity of youth pedestrians stopped.

The second competing hypothesis, "racial/ethnic groups are not equally represented as drivers on jurisdiction roads" changed to "racial/ethnic groups are not equally represented as youth pedestrians on jurisdiction sidewalks/pathways." If the focus is on the second hypothesis, there is no need to address the first. If we know who motorists are then we need not know who lives in the neighborhood (Fridell: 12). Pedestrians were those who lived in the neighborhood. The primary factor determined through this revised hypothesis was if the percent of pedestrians from an ethnic/racial group was different from their representation in the local community.

The third competing hypothesis, "racial/ethnic groups are not equivalent in the nature and extent of their traffic law-violating behavior" became "racial/ethnic groups are not equivalent in the nature and extent of their pedestrian law-violating behavior." Data on pedestrian law violating (i.e., failure to comply with traffic signals and jaywalking) came from observation.

Competing hypothesis four, “racial/ethnic groups are not equally represented as drivers on roads where stopping activity by police is high” became “racial/ethnic groups are not equally represented as pedestrians on sidewalks/pathways where police stopping activity is high.” Tracking pedestrians' ethnicity allowed analysis of this hypothesis for youths: Stopped at/near TBs; At/near TBs; Stopped in business districts, and; In business districts.

The SJPD “Vehicle Stop Demographic Study”

In 2000, the SJPD became the first California police agency to conduct yearly motorist studies in which the Crime Analysis Unit (CAU) recorded the ethnicity of stopped individuals and division stopped in. The computer-aided dispatch system (CAD) electronically records data after police complete vehicle stops (SJPD 2002). The most recent year for which data is available is 2001. The SJPD study noted the following “Dilemmas Presented When Collecting and Analyzing the Data”:

1. Analysis is Based Upon Total San Jose Population Instead of Driver Population. The ethnicity of stopped drivers compared to the ethnicity of San Jose's total population and not the total driver population or the number and ethnicity of drivers at the time of stops.
2. Non-San Jose Drivers Included in Study.
3. Potential Exists That Some Drivers Accounted for Multiple Stops.
4. Downtown Cruising Could Account for Numerous Vehicle Stops (SJPD 2002).

This study avoided the “dilemmas” of the SJPD Vehicle Stop Demographic Study. The study compared the ethnicity of youth pedestrians subjected to PQSFE at/near TBs to the ethnicity of San Jose's population. The study made comparisons between ethnicity of youth pedestrians: at/near TBs; of those stopped in business districts, and; those in business districts.

All pedestrians were local residents. Pedestrians did not account for multiple stops and counted as having only one questioning or stop-and-frisk within the last twelve months. The study never counted pedestrians as having multiple stops though this might have indicated lesser or greater PQSFE rates by ethnicity. Motorist cruising was not a factor in this pedestrian study.

The SJPD study found the following percentage of motorists stopped by ethnicity compared to each ethnicity's percentage of San Jose's population:

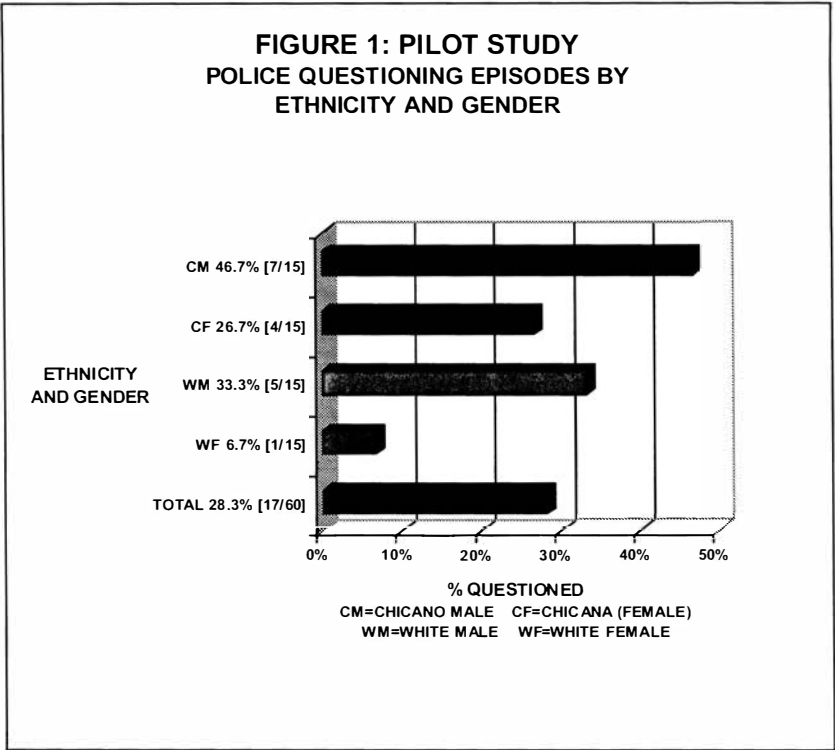
1. Asian American: 16 percent of stopped, 26.9 percent of population.
2. African American: 7 percent of stopped, 3.5 percent of population.
3. Hispanic American: 41 percent of stopped, 30.2 percent of population.
4. Other: 5 percent of stopped, 3.4 percent of population.
5. European American: 31 percent of stopped, 36 percent of population (SJPD 2002).

African Americans accounted for twice the percentage of stops as their percentage of the population, whereas Hispanic Americans accounted for significantly more stops than their percentage of the population. Nevertheless, the SJPD claimed, “there is not a racial profiling problem in the city of San Jose” (SJPD 2002). The report defended this view arguing:

1. Stop rates were higher for Hispanics and African Americans because there were more calls for police service and more officers-per-capita in smaller police districts with higher concentrations of minorities. Hence, there would be more stops. This does not explain why, or for what reason, more calls for police service were requested or if overpolicing occurred.
2. The percentage of stops by ethnicity in each district corresponded to their percentage of that districts' population. (This is a better measure but does not account for discrepancies between ethnic groups' stop percentage and their percentage of the city's population).
3. The SJPD received only 17 official complaints of motorist stops due to racial profiling. (This neglects that many citizens will not file complaints due to fear of police and belief that police will not investigate complaints).
4. The percentage of motorists stopped by ethnicity is less important than the number of motorists stopped by ethnicity. (This argument makes no sense as percentage and number of motorists stopped by ethnicity result in the same number of stops) (SJPD 2002).

PILOT STUDY

Convenience sampling was used in selecting two groups to determine if PRP of Chicana/o youths at/near San Jose TBs existed: Chicana/os and Whites between the age of twelve to twenty-five. Surveys took place at two TBs¹ on a Friday and Saturday between 8pm and 11pm when police reported gang activity was highest. Respondents were questioned concerning their racial identification, age, residency (if they were San Jose residents), frequency of TB visits, and if they had been questioned or stopped- and-frisked by the police at/near TBs within the preceding twelve months. The survey included 15 Chicana/o and 15 White patrons surveyed at each location for a total of 30 Chicana/os, 15 males and 15 females, and 30 Whites, 15 males and 15 females (60 individuals). The survey consisted of respondents between the ages of twelve to twenty-five, those police were most likely to stop. Furthermore, ninety-five percent of customers between the hours of 8pm and 11pm were between the ages of twelve to twenty-five.



Each customer gave his or her ethnic identification and age when entering each TB.

Seventeen youths claimed they had been questioned at/near TBs by San Jose police and six claimed they had been patted-down (statistics are for episodes over the preceding twelve months). The author did not count the seventeen youths who claimed police questionings again under pat downs and vice versa. Pedestrians who reported police stops and questionings count only as questioning episodes while individuals who reported stops, questionings, and pat-downs count only under stop-and-frisk episodes. Patting-down moved the incident out of a questioning into a stop-and-frisk. Stop-and-frisks do not count as questionings. Episodes are separate except when tallied as “total police episodes.” Twenty-eight point three percent of respondents reported police-questioning episodes and 10 percent stop-and-frisk episodes. The percentage of individuals reporting being questioned, stopped-and-frisked, and total by ethnicity was:

- Chicana/o: 36.7 percent questioned, 16.7 percent stopped-and-frisked, 53.3 percent total.
- White: 20 percent questioned, 3.3 percent stopped-and-frisked, 23.3 percent total.

The percentage of individuals reporting being questioned, stopped-and-frisked, and total by ethnicity and gender was:

- Chicano males: 46.7 percent questioned, 26.7 percent stopped-and-frisked, 73.3 percent total.
- Chicanas: 26.7 percent questioned, 6.7 percent stopped-and-frisked, 33.3 percent total.
- White males: 33.3 percent questioned, 6.7 percent stopped-and-frisked, 40 percent total.
- White females: 6.7 percent questioned, 0 percent stopped-and-frisked, 6.7 percent total.

Figures 1 (questionings), 2 (stop-and-frisks), and 3 (total police episodes) show the number and percentages of reported episodes by “ethnicity” and “ethnicity and gender.”

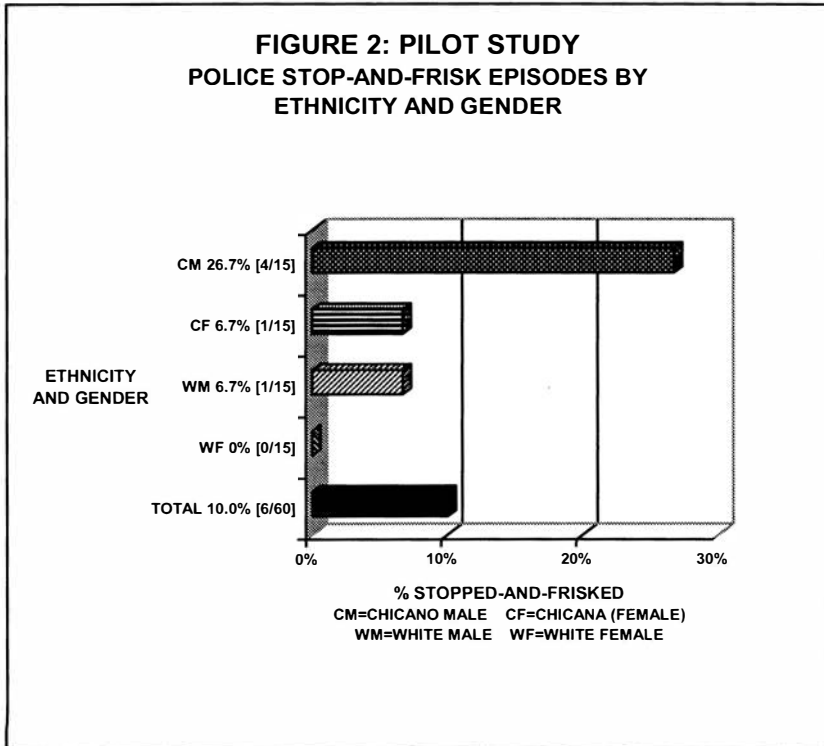
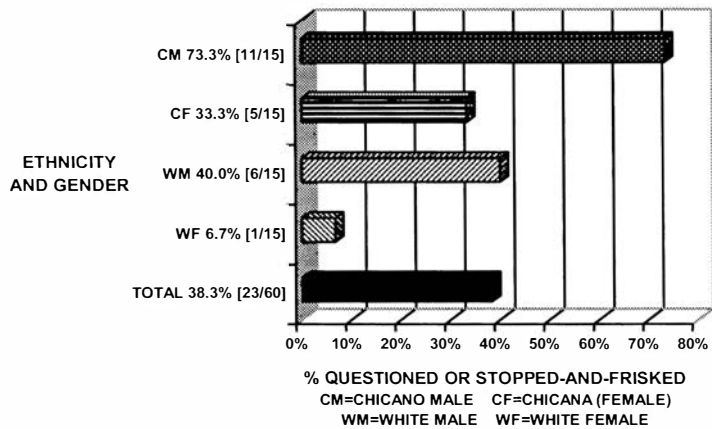


FIGURE 3: PILOT STUDY
TOTAL POLICE EPISODES BY
ETHNICITY AND GENDER



Individuals twenty-six and over comprised approximately 4 percent of customers and those under the age of twelve comprised less than 1 percent. Ninety-five percent of customers were between the ages of twelve to twenty-five. The percentage of customers between the ages of twelve to twenty-five by ethnicity was:

- White: 61 percent
- Chicana/o: 32 percent
- Asian American: 5 percent
- African American/Other: 2 percent

Youths patronized TBs the following number of times per month by ethnicity:

- White: 4.3
- Chicana/o: 3.1
- Asian American: 2.4

- African American/Other: 3.4

Whites were the highest percentage of youth customers and patronized TBs most frequently.

EXTENDED STUDY

Eighteen additional TBs were randomly selected (in predominantly White, Chicana/o, Asian American, and mixed neighborhoods) to examine the existence of PRP. The author recorded respondents' age, ethnic/racial identification, residency, frequency of TB visits, and police contacts at/near TBs in the preceding twelve months. The extended study used the same field research methods and questions, with the addition of a sample of 150 Asian American youths, primarily Vietnamese Americans. San Jose has the largest Vietnamese American population of any U.S. city with 78,842 or 8.8 percent of the city's population (City of San Jose, 2005a). Surveys took place at two TBs per weekend (Fridays and Saturdays) from 8pm to 11pm and sometimes until 1am. Three hundred Chicana/os, 300 Whites, and 150 Asian Americans between the ages of twelve to twenty-five were verbally surveyed (750 individuals including the pilot study). An equivalent number (150) of females and males in the Chicana/o and White samples were surveyed (75 each for Asian Americans) to determine if gender factored in PQSFE.

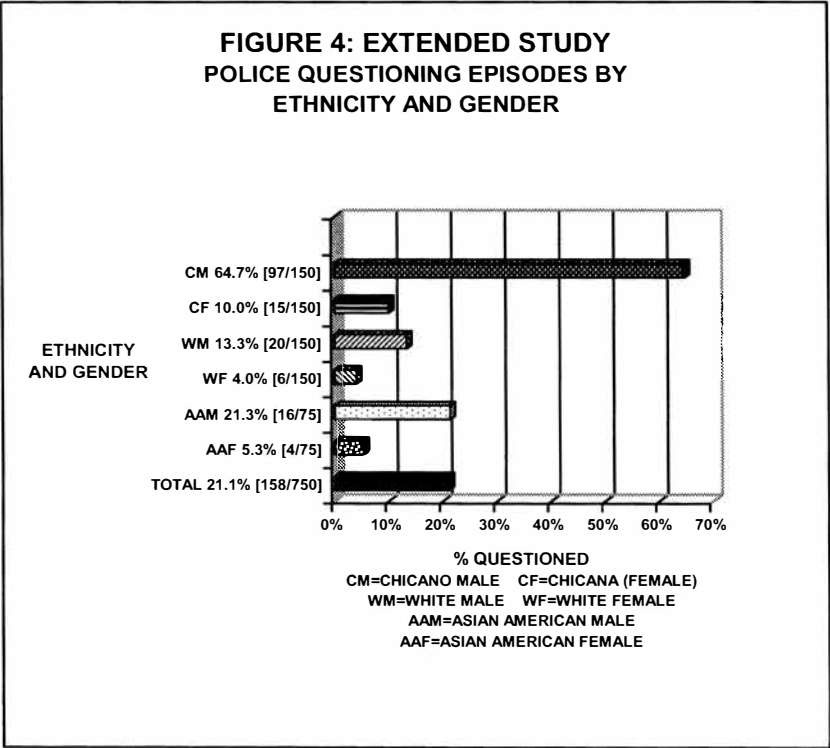
The total number of respondents does not reflect the number of attempted surveys as approximately 5 percent of customers declined participation. The author recorded the number of attempted surveys, those surveyed, and the number of customers as they entered TBs. In addition, each customer's recorded age and ethnicity established a benchmark to compare with those pedestrian customers who claimed to have been questioned or stopped-and-frisked. The majority of customers between 8pm and 11pm on Friday and Saturday nights, more than 90 percent at each TB, were pedestrians. Youths chose TBs over local taquerias as TBs were inexpensive and provided quick service. Less than five percent of TB youth patrons drove vehicles to the restaurant. They answered the same questions as pedestrians. The majority of youth motorists patronized TBs as pedestrians numerous times within the preceding twelve months and, therefore, counted in the pedestrian sample and several claimed police stopped and questioned them while walking to their cars after exiting TBs. Chicana/o youths reported being stopped much more frequently leaving TBs than while walking to TBs. Similarly, minority youth pedestrians in business districts reported stops more frequently when leaving business districts than when walking to business districts. When minority youths completed their consumer exchanges, their presence in regions of spatial economy transformed from acceptance to prohibition. Businesses desired their spending but not their continued presence. The data served as a second benchmark to compare with TB data. The same methodology applied to data collected in business districts located at least one mile from TBs. This ensured a different sample of pedestrians.

FIELD RESEARCH RESULTS

Ethnicity

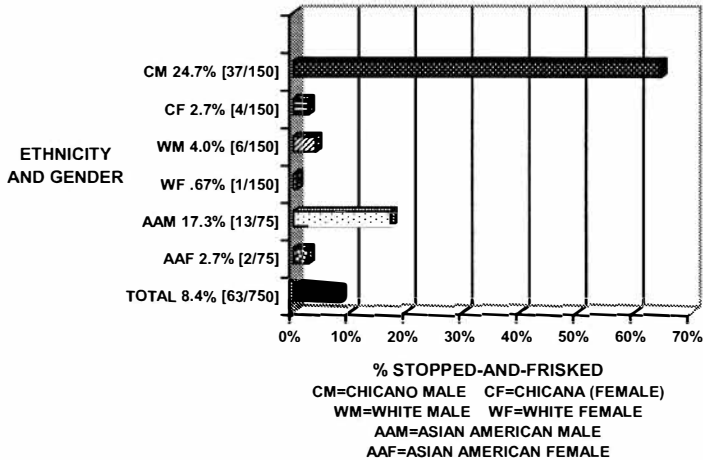
The percentage of individuals reporting being questioned, stopped-and-frisked, and total by ethnicity was:

- Chicana/o: 37.3 percent questioned, 13.7 percent stopped-and-frisk, 51 percent total.
- White: 8.7 percent questioned, 2.3 percent stopped-and-frisked, 11 percent total.
- Asian American: 13.3 percent questioned, 10.0 percent stopped-and-frisked, 23.3 percent total.



Again, individuals’ police episodes counted as either questionings or stop-and-frisks (See figures 4, 5, and 6). Respondents’ episodes did not count as both questionings and stop-and-frisks. Only when tallied as total episodes were they combined (See Figure 9).

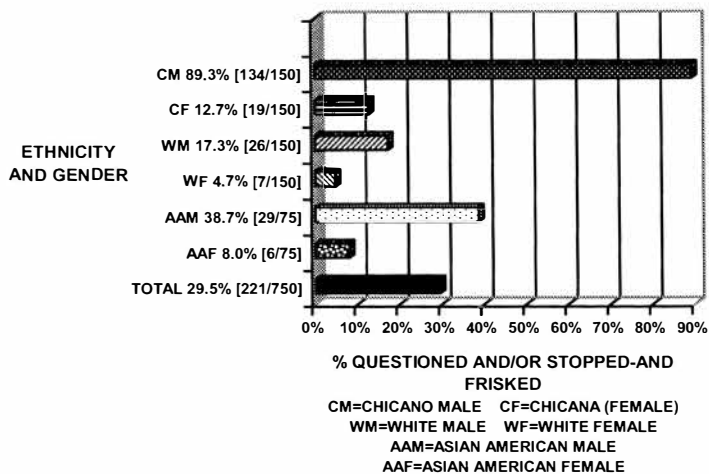
**FIGURE 5: EXTENDED STUDY
POLICE STOP-AND-FRISK EPISODES BY
ETHNICITY AND GENDER**



The percentage of customers between the ages of twelve to twenty-five by ethnicity was:

- Chicana/o: 22 percent
- White: 58 percent
- Asian American: 17 percent
- African American/Other: 3 percent.

FIGURE 6: EXTENDED STUDY
TOTAL POLICE EPISODES BY
ETHNICITY AND GENDER



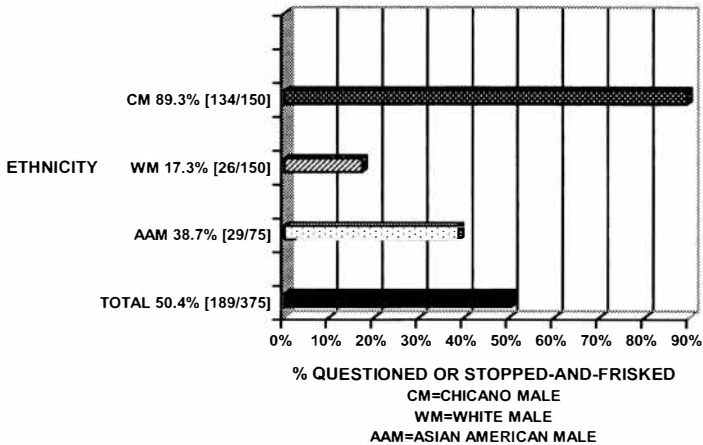
Ethnicity and Gender

The percentage of males questioned or stopped-and-frisked from each ethnic group was higher than that of corresponding females. The percentage of individuals who reported being questioned and stopped-and-frisked by ethnicity and gender was (See Figures 7 and 8):

- Chicano males: 64.7 percent questioned, 24.7 percent stopped-and-frisked, 89.3 percent total.
- Chicanas: 10.0 percent questioned, 2.7 percent stopped-and-frisked, 12.7 percent total.
- White males: 13.3 percent questioned, 4.0 percent stopped-and-frisked, 17.3 percent total.
- White females: 4.0 percent questioned, .7 percent stopped-and-frisked, 4.7 percent total.
- Asian American males: 21.3 percent questioned, 17.3 percent stopped-and-frisked, 38.7 percent total.

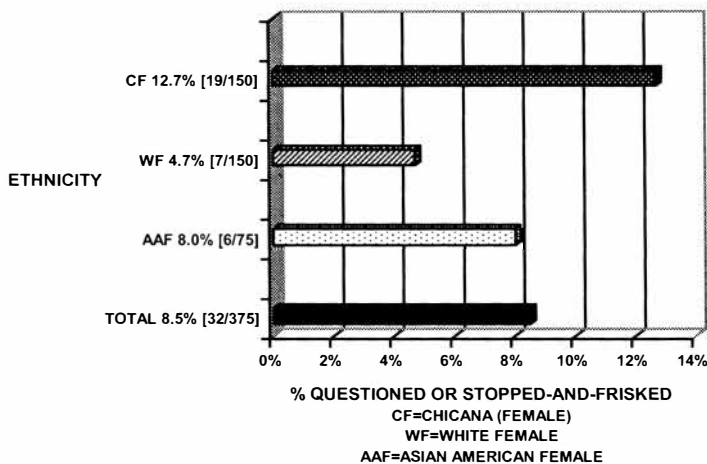
- Asian American females: 5.3 percent questioned, 2.7 percent stopped-and-frisked, 8.0 percent total.

FIGURE 7: EXTENDED STUDY
TOTAL POLICE EPISODES AMONG MALES BY ETHNICITY



Significantly, five White male youths and one White female youth claimed police harassment due to being “poor” and/or walking to/from TBs accompanied by Chicana/os and/or Asian Americans. Gang activity was not seen other than the rare wearing of “colors.”

FIGURE 8: EXTENDED STUDY
TOTAL POLICE EPISODES AMONG FEMALES BY
ETHNICITY



Comparison between Chicana/os and Whites showed that Chicana/os had:

1. Been Questioned 4.3 times more than Whites.
2. Been Stopped-and-frisked 5.9 times more than Whites.
3. A combined episode rate 4.6 times more than Whites.

Comparison between Chicana/os and Asian Americans showed that Chicana/os had:

1. Been Questioned 2.8 times more than Asian Americans.
2. Been Stopped-and-frisked 1.4 times more than Asian Americans.
3. A combined episode rate 2.2 times more than Asian Americans.

Chicano males had questioning rates:

1. 6.5 times more than Chicanas.
2. 4.9 times more than White males.
3. 16.2 times more than White females.
4. 3 times more than Asian American males.

5. 12.1 times more than Asian American females.

Chicano males had stop-and-frisk rates:

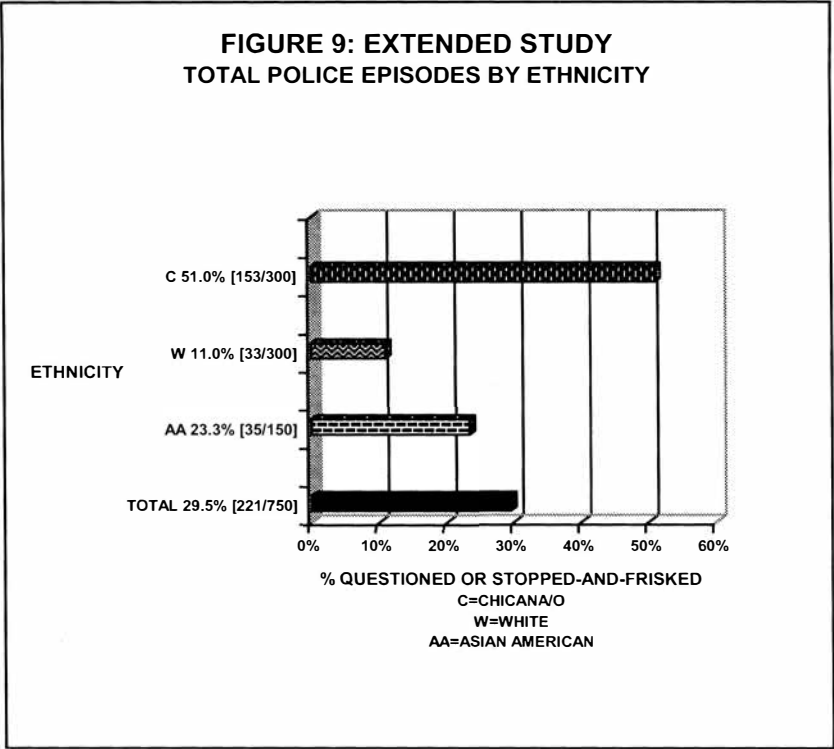
1. 9.3 times more than Chicanas.
2. 6.2 times more than White males.
3. 37 times more than White females.
4. 1.4 times more than Asian American males.
5. 9.3 times more than Asian American females.

Chicanas had questioning rates:

1. 6.5 times less than Chicano males.
2. 1.3 times less than White males.
3. 2.5 times more than White females.
4. 2.1 times less than Asian American males.
5. 1.9 times more than Asian American females.

Chicanas had stop-and-frisks at a rate:

1. 9.3 times less than Chicano males.
2. 1.5 times less than White males.
3. 4 times more than White females.
4. 6.5 times less than Asian American males.
5. The equivalent number of times as Asian American females.



OBSERVATIONS

This research evidenced PRP. Alternative explanations seemed implausible as Chicana/os, at twenty TBs, had a questioning rate 4.3 times that of Whites and 2.8 times that of Asian Americans. Chicana/os had a PQSFE rate 5.9 times that of Whites and 1.4 times that of Asian Americans. The author observed approximately one dozen PQSFE of Chicana/o and Asian American youth at six TBs by White and Chicana/o police officers, thus, it seemed unlikely that Chicana/os and Asian Americans self-reported episodes that never occurred. The PQSFE rate of Chicana/os and Vietnamese Americans was not the result of a few “bad apples” in the SJPd.

Ninety-three percent of TB customers were between the ages of twelve to twenty-five, five percent were over twenty-six, and approximately two percent were under the age of twelve. The percentage of customers between the ages of twelve to twenty-five by ethnicity and their corresponding percent of PQSFE was:

- Chicana/o: 24 percent, 69.2 percent of PQSFE.
- White: 57 percent, 14.9 percent of PQSFE.
- Asian American: 17 percent, 15.8 percent of PQSFE.
- African American/Other: 2 percent, 0 percent of PQSFE.

Youths patronized TBs the following number of times per month by ethnicity:

- Chicana/os: 3.4
- Whites: 4.9
- Asian Americans: 3.6
- African Americans/Other: 2.1

Whites were the majority of youth customers and patronized TBs most often but had the lowest PQSFE rate. Utilizing the benchmark of total TB customers between the ages of twelve to twenty-five versus individual's between the ages of twelve to twenty-five subjected to PQSFE it was evident that PRP of Chicana/o and Asian American youths is statistically evident.

EXPLANATIONS FOR CHICANA/O YOUTH'S HIGH PQSFE RATE

Curfews

One explanation for Chicano youths' high PQSFE rate was police enforcement of the youth curfew. San Jose's curfew restricts those fifteen and under from being out without parental supervision from 10:00pm to 5:00am and youths sixteen and seventeen from being out unsupervised from 11:30pm to 5:00am (SJPd 2005b). The author observed six youths under the age of fifteen violating the curfew. No youths reported police stops for curfew violation.

Population by Ethnicity and Distribution

San Jose has five police divisions (Airport, Central, Western, Foothills, and Southern). Each division consists of sixteen districts except for Airport, which has none and no substantial population. The Central Division is primarily Hispanic and White while Western is primarily White with a substantial Asian American population. Foothills is primarily Hispanic and Asian American. Southern is predominantly White (U.S. Census Bureau 2000a). The median income of Hispanic households was \$52,827 but \$87,486 for White households and \$80,312 for Asian American households (City of San Jose 2005b). The highest poverty neighborhoods were predominantly Hispanic and located in all four major divisions (U.S. Census Bureau 2000b).

The percentage of Whites, Chicana/os, and Asian Americans subjected to PQSFE should have corresponded to their percentage of TB customers or, less likely, to their percentage of San Jose's population if ethnicity and pedestrian law-violating behavior were not a factor. Whites comprised 36.0 percent of San Jose's population in 2000 (City of San Jose 2005a) and approximately 58

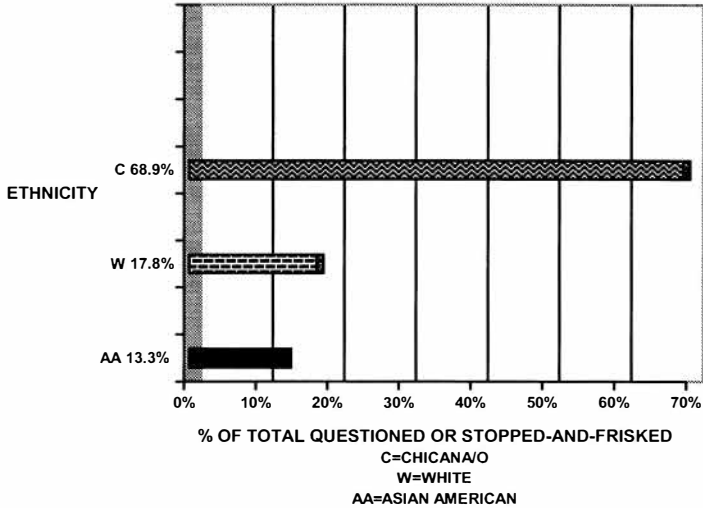
percent of patrons, but experienced only 14.9 percent of PQSFE as indicated in Figure 9. Chicana/os comprised 24.7 percent of the population (City of San Jose 2005a), 22 percent of TB patrons, and 69.2 percent of PQSFE. Asian Americans fared better than Chicana/os, as they comprised 26.9 percent of the population (City of San Jose 2005a), 17 percent of patrons, and 15.8 percent of PQSFE. The Asian American percent of PQSFE could be higher if the study included 300 Asian Americans and there was an equal distribution. In 2000, there were 177,402 San Jose residents (19.82% of the population) between the ages of twelve to twenty-five (U.S. Census Bureau 2000c). The U.S. Census Bureau and City of San Jose do not maintain records of race/ethnicity by age except for those over the age of eighteen and under the age of eighteen so there is no way to determine the exact number of youths by race/ethnicity between twelve to twenty-five.

High Crime Rates

Police district crime statistics were analyzed to determine if Chicana/os' and Asian Americans' PQSFE rates were related to their being stopped at TBs in higher crime rate districts. The difference between Chicana/os' and Whites' PQSFE percentages were consistent in the "highest," "medium," and "lowest" crime districts:

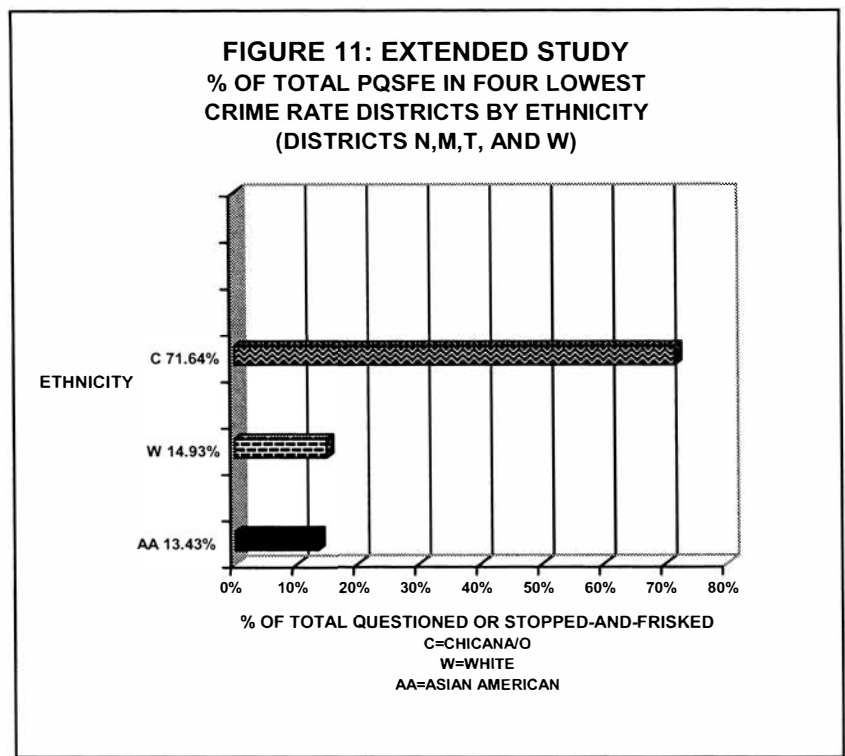
- Highest: Chicana/os 68.9 percent, Whites 17.8 percent (See Figure 10).
- Medium: Chicana/os 67.2 percent, Whites 10.9 percent.
- Lowest: Chicana/os 71.6 percent, Whites 14.9 percent (See Figure 11).

FIGURE 10: EXTENDED STUDY
% OF TOTAL PQSFE IN FOUR HIGHEST
CRIME RATE DISTRICTS BY ETHNICITY
(DISTRICTS L, P, X, AND A)



Chicana/os and Asian American PQSFE rates were higher regardless of police district in which TBs were located. The findings did not support the argument that Chicana/os only had higher PQSFE rates at TBs in high crime rate districts. As a nineteen year-old Chicano stated:

If I go to the Taco Bell on (720) Story Road (District L), I get hassled by the police. If I go to the one (Taco Bell) on (2102) McKee Road (District M) I get hassled. If I go to the one on (1298) Winchester (Boulevard), I get hassled by the police. It don't matter which one you go to. The police are watching you and at nighttime they'll stop you and ask what you are doing out. Like we (Chicana/o youths) are not allowed to be in public after dark. Maybe 'cause they (the police) can't see our Brown skin as well at night (*Author* 2004).



The means by ethnicity and gender were calculated for police questionings and police stop-and-frisks at/near TBs for the previous twelve months with a “yes” response scored as “1” and a “no” response scored as “0.” The higher the mean the greater the number of individuals of that ethnicity and gender questioned or stopped-and-frisked by the police in the previous twelve months. Chicano males had the highest mean for police questionings, .6467 (SD .4796), and the highest mean for police stop-and-frisks, .2467 (SD .4325), followed by the means for both dependent variables for Asian American males and white males. White females had the lowest mean for police questionings, .0400 (SD .1966), and for police stop-and-frisks, .0067 (SD .0817). The means by ethnicity and gender are shown in Figure 12.

FIGURE 12: POLICE EPISODES BY ETHNICITY AND GENDER*

Variables	Dependent	Police Questionings		Police Stop-and-Frisks	
Independent	Number	Mean	Std. Deviation	Mean	Std. Deviation
Chicano Males	150	.6467	.4796	.2467	.4325
Chicanas/ Females	150	.1000	.3010	.0267	.1617
White Males	150	.1333	.3417	.0400	.1966
White Females	150	.0400	.1966	.0067	.0817
Asian American Males	75	.2133	.4124	.1733	.3811
Asian American Females	75	.0533	.2262	.0267	.1622

*Means are calculated by “yes” (1) and “no” responses (0) to individuals being questioned by the police in the previous twelve months and stopped-and-frisked by the police in the previous twelve months. The higher the mean the greater the number of those individuals by ethnicity and gender questioned or stopped-and-frisked and vice versa.

Benchmarking Revisited

This study utilized two benchmarks to analyze PRP. The first benchmark was the sample of youths by ethnicity/race subjected to PQSFE measured against the total number of youth TB customers by ethnicity/race. The second benchmark was the survey and observation of pedestrians in business districts. Youths stopped in business districts were a benchmark against which to measure the stop data for pedestrians at/near TBs. The survey consisted of five hundred pedestrians in ten business districts at least one mile from TBs. Youths between the ages of twelve to twenty-five comprised 91 percent, or 455 of 500 pedestrians. The percentage and number of pedestrians in business districts between twelve to twenty-five by ethnicity was:

- White: 60.1 percent (277)
- Chicana/o: 25.3 percent (115)
- Asian American: 11.4 percent (52)
- African American/Other: 2.4 percent (11)

The percentage of individuals in business districts reporting questionings, stop-and-frisks, or both by ethnicity was:

- Chicana/o: 42 percent Questioned, 14 percent Stopped-and-Frisked, 56 percent total.
- White: 6 percent Questioned, 2 percent Stopped-and-Frisked, 8 percent total.
- Asian American: 14 percent Questioned, 9 percent Stopped-and-Frisked, 23 percent total.
- African American/Other: 0 percent for all episodes.

Benchmarking aided in concluding that PQSFE rates in business districts were slightly higher for Chicana/os (51 percent at/near TBs vs. 56 percent in business districts) and Whites (11 percent versus 8 percent) and similar in both areas for Asian Americans (23.3 percent versus 23 percent). PRP of minority youths seemed to not only occur at/near TBs but in business districts.

PSYCHOLOGICAL HARMS

For many young Chicana/os, PRP and PQSFE were their first encounters with the criminal justice system. They felt victimized, maltreated, and angry as their privacy had been violated (Waldeck 2000: 1284). Fear of police brutality is a psychological harm. Approximately one-third of Chicana/o and Vietnamese American youths indicated fear of being beaten by police when stopped (Author 2004). However, the author did not observe police use of physical force but did observe police micro and macroaggressions at the rate of one per night. Singling out Chicana/o and Vietnamese American youths for PQSFE imposes targeting harms (Waldeck: 1284). Minority youths may feel psychological harm based upon being stopped due to ethnicity (1284). They may respond to these harms with feelings of inferiority, anger, and participation in deviant practices (i.e., joining a gang). PRP intensifies the distrust, anger, and hostility Chicana/o youths have toward police. Minority youths may decline cooperating with police investigations, report crime, or act as willing or unbiased witnesses and jurors (1286).

ELIMINATING POLICE RACIAL PROFILING

According to Lefebvre, “The right to the city” demands: . . .the right of every social group to be involved in all levels of decision making which shape the control and organization of social space. It is also the right not to be excluded from the spaces of the city center and segregated in residential neighborhoods. The right to the center is logically extended by the right to difference: the right to be free from externally imposed, preestablished classifications of identity (McCann: 176).

The community, police, and scholars can play an important part in the reduction of PRP.

Community Activism

- Organize community committees to educate citizens about PRP and how to combat PRP.
- Develop manuals and educate youths on their rights and how to respond to police stops.
- Encourage and assist youths in filing complaints with: 1) local police departments; 2) on the ACLU’s “Driver Profiling Complaint Form,” that includes pedestrian stops, and; 3) to the California hotline at 1-877-DWB-STOP (1-877-392-7867) (ACLU 2005b). Establish a

complaint system for youths and a way to present complaints to the city council, mayor, Civilian Police Review Board, and police departments.

- Publicize PRP and organize public protests.
- Create letter-writing campaigns to local, state, and national politicians to end PRP.
- Sign and submit the ACLU's "Urge Congress to Stop Racial Profiling" letter to local U.S. Senators and Representatives (ACLU 2005a).
- Demand police agencies record demographic data on all pedestrian stops and make that data public.
- Demand that all police officers provide their business card with name, badge number, and time and place of the stop to all stopped pedestrians/motorists.
- Demand that all stops of youths under 18, and the reasons for those stops, be reported by police to minor's parents.
- Raise money to hire civil rights attorneys to challenge PRP and the *Terry* ruling in court.
- Bring community organizations (mutual associations, churches, businesses, professional organizations, and schools) together to end PRP.
- Demand a third-party Citizen Review Board of the Police Department.
- Request the federal government monitor police departments and force agencies to maintain official records of all pedestrian stops.
- Demand police departments train officers on the negative effects of PRP and have citizens who have experienced PRP participate in training by sharing their experiences.
- Join with other community based organizations and institutions based on ethnic/class/religious groups in combating PRP.
- Use English, Spanish, and Vietnamese (and other) language media to bring PRP to public attention.
- Become involved with the San Jose Barrio Defense Committee's "Cop Watch" program that monitors police motorist/pedestrian stops and hands out "Know Your Rights" pamphlets to youths (Maiden 2005b).

Police

- Document and publish demographic data from all stops.
- Require all police officers provide their business card with name, badge number, and time and place of the stop to all stopped pedestrians/motorists.
- Provide officers with training on the negative consequences of PRP to citizens, the city, and the police department.
- Work with the community to understand and eradicate PRP.
- Develop departmental policies against PRP, methods to identify officers using PRP, and disciplining/removal of officers found using PRP.

- Develop community policing with involvement of ethnic groups to meet their needs.
- Require that stops of youths under 18, and the reasons for those stops, be reported to minor's parents.

Scholars

- Work with the community and police to eliminate PRP. Act as mediators.
- Choose to do field research with the community on PRP and publish that research.
- Present PRP research to community, police, govt., human right organizations, city council, etc. and publish PRP research.
- Seek funding for PRP research.
- Participate in public forums to end PRP.
- Provide training to third parties in prevention and reduction of PRP.

CONCLUSION

Police racial profiling in San Jose is also the SJ, or San Jose, Syndrome instead of the TB, Taco Bell, Syndrome as police racially profiled and PQSFE'd minority youths at high rates in business districts and at/near TBs. Minority youths reported police routinely stopping and questioning them about their gang affiliation and the reason for their presence in neighborhoods, and then being searched. Police detained and questioned young Chicana/o pedestrians in TB parking lots. Police detained and questioned Chicano and Vietnamese American youth motorists parked in TB parking lots and business districts with the possible search of their automobiles.

Police detained, questioned, and searched Whites at/near TBs and in business districts at lower rates than Chicana/os and Vietnamese Americans. Due to this targeting Chicana/os felt like inferior citizens. In the words of a sixteen year-old Chicana:

We (Chicana/os) are always treated different than Anglos. We have to be careful where we are, what we are doing, how we are dressed, what part of town we are in, who we are with, and everything else. Anglo kids don't have to be careful about anything because they can do anything and go anywhere they want and no one's going to bother them. They have more rights than us. We are treated like we don't belong here though my family has lived here for hundreds of years. The police just do what the Anglos tell them or else they become Anglos and push us around (*Author 2004*)!

San Jose TBs and business districts are battlefields for spatial sovereignty. The police, not possessing formal legal tools for monitoring and regulating minority youth, developed informal backstage policies that remind minorities of their lesser place. Police racial profiling highlights the state-sanctioned spatial maintenance role of modern policing and preservation of physical, social, and

psychological space, place, and race boundaries between “clean” and “polluted” people. The battle for public space, especially access to that space, is a battle for place. Petit apartheid discrimination aims to continue a muted grand apartheid. The nation has not legalized this apartheid but it is enculturated in the mores and customs of police and society. As a nineteen year-old Chicano male stated, “Sometimes it’s like they [the police] only want White kids to be at Taco Bell. It’s like we are not supposed to be there. I think we are supposed to only eat at Mexican taquerias and the Taco Bells are for Whites. We are supposed to stay away from the places where Anglos go. Might as well have White-only signs at Taco Bell and start puttin’ in White drinking fountains! Too bad some of the police are Chicanos” (*Author* 2003).

Chicana/os, especially males, became the primary target of San Jose PRP and Vietnamese American males were targeted to a lesser extent. Racism by law (i.e. de jure segregation) transmuted, via the state and its agents, into subtle racism that functioned under the guise of discretion. There is limited documentation by the police, or others, on PRP decision-making and whether race is a variable in the decision-making process. It is within the backstage, the hidden or unexamined regions of police racially based decision-making that PRP policies formulate. This study evidenced petit apartheid maintained by backstage police decision-making as a daily occurrence for minority youth pedestrians.

This article can have an invaluable impact on San Jose police officer’s use of racial profiling and PQSFEs. The San Jose Police Department can either chose to ignore the findings of this study or the department can chose to address the issue. The SJPD can follow the above mentioned guidelines for police in the reduction of PRP and create a community in which minority youth do not fear police and willing cooperate with police in the proper conduct of their law enforcement duties. A true end to PRP and the TB Syndrome in San Jose can only be accomplished with the willingness of the SJPD to address the problem.

Throughout this research the author has attempted to contact San Jose City Council members concerning the SJPD’s use of racial profiling. The author’s communications have generally been ignored or met with sparse interest by those who represent the citizens of San Jose. The author’s hope is that by making people aware of San Jose police officers use of PRP the problem will be brought to public attention so that the SJPD, city council members, scholars, and community members can join together to end PRP and revitalize positive communication links between citizens and police.

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NOTES

¹ Taco Bells located at 720 Story Road and 1299 South First.

Diversity as an Orientalist Discourse

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The goal of promoting diversity is deep-rooted in the post-civil rights activities of U.S. educational institutions. Universities across the country attempt to foster diversity by seeking a diverse student body, creating initiatives that promote diversity, institutionalizing committees and administrative positions with the sole purpose of overseeing diversity, and implementing curricular strategies to support academic diversity. The pursuit of diversity is so integral to the survival and attractiveness of college campuses that some universities even lie in order to appear diverse to potential students and public supporters. Such was the case of the University of Wisconsin, Madison whose officials digitally inserted the face of a black student into an image of white football fans in order to portray a diverse picture of the university's student body. Demonstrating that diversity is valued is a staple of any academically competitive US university.

While U.S. universities engage in a variety of efforts to foster diversity in some cases these attempts are inadequate, insufficient, and/or misguided. In such instances, diversity efforts contribute to camouflage essentialist interpretations of cultural differences. In this article, I analyze the various definitions of diversity given by undergraduate students who enrolled in a course entitled "Cultural Diversity" in the U.S. Through this analysis I illustrate how pedagogical attempts to introduce alternative readings of diversity are undermined when they are part of loosely articulated efforts. Thus, I provide a critique of essentialist interpretations of diversity in educational settings by borrowing some ideas from Edward Said's work on Orientalism and discussing examples of classroom and curricular approaches that can overcome the limits of diversity as currently articulated in some institutions of higher learning.

Diversity as the New Orientalism

Two aspects of Edward's Said's work on Orientalism are pertinent to understanding the current ways in which diversity is deployed as an Orientalist discourse. One is his treatment of essentialism, the other is his explanation of hierarchical arrangements in colonized settings. In his seminal work Said (1978) argued that colonialism is sustained by the representation of cultural differences as binary opposites. Said showed that Orientalism was linked to the power of the West to authoritatively create and contrast the non-West. Said demonstrated that this essentialist practice was a mark of colonial epistemologies (Dirlik 2001). In addition, he suggested that colonial ideologies relied on the hierarchical organization of cultural differences by rendering inferiority to the colonized and seemingly inherent cultural superiority to the colonizer (Said 1989).

In the U.S. essentialism and hierarchization are evident in the ways in which cultural differences are currently debated. Orientalist discourses are reflected in discussions

about language, curriculum, representation, and immigrants' rights. Education has been the focal point of many of these arguments becoming the arena of debate about programs and practices that aim to maintain or challenge the legacy of colonialist ideologies in historically postcolonial conditions. For example, Donaldo Macedo (2000) described U.S. debates against bilingual education as a form of colonialism because in his view colonialism "...imposes 'distinction' as an ideological yardstick against which all other cultural values are measured..." (2000:16). In particular as he suggested,

If we analyze closely the ideology that informs the present debate over bilingual education and the present polemic over the primacy of Western heritage versus multiculturalism, we can begin to see and understand that the ideological principles that sustain those debates are consonant with the structures and mechanisms of a colonial ideology designed to devalue the cultural capital and values of the colonized (Macedo 2000:20).

Indeed, recent controversies about immigration reform in the US renewed colonialist dilemmas about the value of "foreign" cultures and languages other than English. These dilemmas revolve around questions about the extent to which the government should promote English proficiency among immigrants. In a presidential address delivered to the nation on April 2006, President George W. Bush outlined five objectives which he deemed necessary for an effective comprehensive immigration reform plan. The fifth objective urged the nation to honor the tradition of the melting pot by helping immigrants assimilate to "American" culture. This process of cultural assimilation could be partly achieved, as the President suggested, by encouraging immigrants to master the English language. Thus, as the President claimed in his speech, the US is willing to "honor the heritage of all who come here" only if that heritage is ultimately appropriated and transformed into behaviors familiar and recognizable to the "American" cultural yardstick.

Critical scholars of education such as McLaren (1995), Kincheloe and Steinberg (1997) suggest that discourses of assimilation and common applications of multiculturalism in education are guided by essentialist scripts. They critique assimilationist versions of multiculturalism, such as the melting pot, because they reproduce, in their view, unproblematic and dominant visions of cultural differences. While these versions of multiculturalism can advocate for the inclusion of multiple voices in the curriculum (McLaren 1995; Nieto 1995; Kincheloe and Steinberg 1997) they depict cultural differences as essentially the manifestation of the same phenomena. In many educational curricula diversity is devoid of historicity. Discussions of cultural differences are organized around prescriptive laundry lists of traits (McLaren 1995) that describe language, religion, customs as the essence of a people. While exposure to these traits may increase students' awareness of practices different from their own, they do not explain or challenge hierarchical rankings of cultural differences or question the processes by which such differences are assigned

meaning. In this way, essentialist versions of diversity currently in vogue in many educational institutions serve as "...exclusionary and marginalizing practice[s]... that provide the cultural content for the construction of binaries that differentiate us/them, self/other" (Torres, Miron, and Inda 1999:7).

Indeed as Bhabha suggested, "Multiculturalism represented an attempt both to respond and to control the dynamic process of the articulation of cultural difference..." (Bhabha 1990: 08). Essentialist readings of diversity limit complex interpretations of cultural differences because diversity is defined in opposition to what is considered "normal" or not diverse. While diversity in this sense encourages multiplicity, this multiplicity is judged by a predetermined norm. In addition, in nations like the U.S. where race constitutes an organizing principle of social relations (Omi and Winant 1994), essentialist diversity scripts contribute to racialize rather than neutralize the "abnormality" assigned to cultural differences (Bhabha 1990).

Unproblematic celebrations of differences lead to feelings of guilt and resentment among some students who feel that they do not have a culture or even among students who feel that their culture does not fit pre-established parameters of differentiation. Enrolling in a diverse campus and attending courses in which students can learn about diversity seemingly provides many of them the ability to overcome their differential cultural deficits. The knowledge promoted under the banner of diversity is thus often uncomplicated (Darder 1991) because it does not critically address how culture is embedded in power relations and historical conflicts (Sleeter 1996; Miron 1999; Moya 2002). In this way, diverse cultural knowledge is trivialized (Ladson-Billings 1999). Current expressions of diversity in some U.S. college campuses "...tend to elide...differentials of power between dominant sectors and subaltern subjects, instead celebrating in unproblematized ways the crossing of...borders as supposed evidence of true diversity in our democratic society" (Aparicio 1998:7).

Specifically, in some universities the use of diversity reveals a "...particular organization of difference" (Appadurai 2005:428) that signifies failure to distinguish between "cultural diversity" and the "culture of diversity" (Appadurai 2005). As Appadurai (2005) suggested, institutions of higher learning tend to manage diversity by only using strategies of addition and extension. This usually involves isolated strategies such as adding to the curriculum, or recruiting "diverse" students and faculty. This "narrow" affirmation of diversity does little to transform essentialist readings of diversity and pedagogical strategies traditionally valued by the academy (Appadurai 2005). Cultural diversity at the university level "...has not succeeded in creating a habitus where diversity is at the heart of the apparatus itself" (Appadurai 2005:429). Thus many so called diversity efforts miss the possibility to create a culture of diversity because they are not driven by a conviction in the "epistemic value of cultural diversity" (Moya 2002).

The critiques of diversity I present here should not be interpreted as attempts to undermine diversity efforts aimed at increasing the representation of students and faculty of color (Gurin and Nagda 2006; Gregory 1998) or furthering the inclusion of our work in the

scholarly canon (Zúñiga, Williams, and Berger 2005; Anderson 2005; Gurin and Nagda 2006). I am, however, trying to caution that such efforts are actually undermined by the lack of institution-wide commitments (Gregory 1998), comprehensive initiatives (Troutman 1998), and the failure to take seriously the ideologically transformative potential of diversity (Haugabrook 1998).

At the university where I currently teach cultural diversity is in part accomplished through the core undergraduate requirement “Cross Cultural, Diversity and Global Studies.” The purpose of this three credit hour course requirement is to “Promote[] knowledge and appreciation of national and international cultural diversity” (Texas 2002-03). The courses that fulfill this requirement range in discipline and topic. For example students can fulfill this single course requirement by taking a course about “Race, Class, Gender, and Ethnicity” or about “The Free Enterprise System in a Global Environment.” While research has shown the effectiveness of curricular efforts on students (Zúñiga, Williams, and Berger 2005) when they are loosely articulated they may have no effect or actually work against other diversity efforts. As an example Anderson (2005) points out that despite the numerous efforts to increase the number of students of color in four year institutions the largest growth of participation in higher education is evident in two year colleges. In addition, Anderson (2005) argues that uncoordinated diversity efforts such as the singular “textual inclusion of multicultural and diversity works” actually work to provide cultural capital for white students. Such efforts may unintentionally further alienate students and faculty of color when they are not integrated into a coordinated plan.

The Challenge of Teaching Cultural Diversity

For the past three years I have taught an anthropology course titled, “Cultural Diversity in the U.S.” This course satisfies the three credit hour undergraduate requirement discussed earlier. Although many students enroll in the course because they are specifically interested in the topic, others, as is usually the case of required courses, enroll in this particular class because it allows them to get the diversity requirement out of the way. Regardless of their reasons, I approach this class as an opportunity to motivate students to think critically about diversity and to challenge their own assumptions about cultural differences. Thus I organize the course around four themes: 1) Culture and Diversity: What is Difference?, 2) Ethnic and Racial Categorization: What do all the Labels mean? 3) Sites of Identity Construction: How is Difference Currently Manifested? and 4) Current Problems and Possibilities. Through these themes I try to motivate students to think beyond the limitations of diversity by relying on an anti-racist/decolonial pedagogy. I attempt to create a “culture of diversity” (Appadurai 2005) by encouraging my students to understand and acknowledge the historically constructed underpinnings and current manifestations of racism, classism, sexism, and homophobia in the U.S. Guided by anti-racist/decolonial counternarratives I seek through my pedagogy to historically center the experiences that my students and I bring to the university classroom as legitimate sources of knowledge and transformation. Thus,

while students who enroll in the course Cultural Diversity in the U.S. are not assigned Edward Said's work, they are introduced to his critique of essentialism and his ideas about the hierarchization of cultural differences through the courses' themes, class activities, assignments, and readings. Pedagogically students are confronted with how power relationships shape constructions of reality through dialogic efforts to build community (Tatum 2000) and a specific emphasis on discussing culture as a concept (Moya 2002).

In my teaching practices I incorporate the use of experiences to challenge essentialist notions of cultural differences. I follow the emphasis of Critical Race Theorists on voice and narrative "...in order to communicate the experiences and realities of the oppressed, [as] a first step in understanding the complexities of racism" (Ladson-Billings 1999:16). I utilize students' personal stories in my teaching to model this use of narrative and to give voice to multiple subjectivities. Under this pedagogy, I also engage my students as a Latina instructor to acknowledge and give voice to the embeddedness and intersectionality of race, gender, and class and frame the process of ethnicization as historical, constructed, and yet real.

I also ask my students to engage their personal experiences through a series of ethnographic exercises in which I ask them to describe their own sense of identity and to talk to family and friends about their specific family stories. Students, particularly white students, are often perplexed by how difficult it is for them to write about themselves in analytical ways. Furthermore, most white students also find it difficult to describe their identity in racial terms. Often they discuss their identity by lamenting that they have no culture, admitting that they never thought about it, and/or concluding that their racial/ethnic identity is "American." In many instances, white students and students of color are also surprised when they realize that the syllabus for a course on cultural diversity includes whiteness as a topic.

These experiences are not unique to the students enrolled in my course. They are evidence of the ways in which whiteness is masked as racial and cultural neutrality or normality in this society and of the difficulties of engaging whiteness in a curriculum about diversity (Hurtado 1999; Bonnett 1999). By asking all students to think and write about their personal experiences I create a pedagogical space where their cultures and identities become visible to them (Tatum 2000). Thus by critically engaging their personal experiences students begin to see their identities as reference points through which they can interrogate social and cultural formations (Moya 2002). This interrogation also takes place in community by anonymously sharing what students write with the rest of the class, through student-led discussions of the class readings, and group activities.

One of the most challenging and perhaps more revealing assignments for students who enroll in my version of cultural diversity is an assignment entitled "the gay pin exercise." This exercise was brought to my attention by colleagues who used it in courses about race, sexuality, and social inequality. For this exercise, I bring to class various buttons that exemplify gay pride. Some of the buttons simply show the colors of the rainbow flag others have slogans such as "gay rights are civil rights." The number of buttons that I make available to students purposely does not equal the number of students enrolled in the course.

Because of this, I tell students that the exercise is organized around teams. Each student in each team is asked to wear the pin for at least 24 hours and to write a short paper that documents the reactions they receive from others as they wear the pin. I provide each team time to talk to their group members in class so that they can organize their activities, follow the exercise guidelines, and complete the assignment by the given deadline. As each team discusses the logistics of completing the assignment, I walk around the classroom listening to their conversations and pretending to help them organize their schedules so that each team member can complete the exercise on time. However, the real purpose of this is to listen to the reactions students have about the assignment.

I have never encountered a student who directly refused to complete the exercise, although I have witnessed plenty of hesitation. Most of this hesitation tends to be shared in polite ways when I come close to the groups to listen to their discussion. Thus, rather than expressing their feelings about the exercise to me, most students try to come up with alternative ways to follow the rules of the assignment and minimize any potential discomfort. For example, student athletes often ask me “Do I have to wear this to practice or to the locker room? Other students ask, “Do I have to wear it to church?” “Does wearing the pin to bed count toward the 24 hour requirement?” I can tell by my students’ facial expressions and by the lowering of their voices as I walk by the groups that more sincere discussions about the exercise take place when I am not present to listen to their comments.

I allow students to work on the logistics of the exercise for about 20 minutes of the 50 minute class period. After that time I reveal to students that they do not actually have to complete the exercise. At this point, I often hear a collective sigh of relief and students begin to voice to the entire class the hesitations they shared about the exercise with their team members. During the collective discussion students are very candid about their feelings towards the exercise. Some students clearly voice their opposition to the imposition of having to wear a button that does not represent their beliefs. Other students find problematic the possibility that wearing the pin might send the wrong message about their sexuality. For example, often students comment that they do not have anything against homosexuality but they are afraid that people might think they are gay. Yet, other students are actually surprised by the hesitations and explanations of their peers. The possibility of having to wear a button with such symbolic weight leads students to envision, albeit momentarily, what it might be like to embody a contested marginalized identity. In the process of this discussion, “...students potentially reconstitute themselves as political/learning subjects, capable of questioning, resisting, and transforming dominant forms of discourse...” (Mirón 1999:83).

Some students actually request to do the assignment. Their experiences wearing the button are often painful and in some cases surprising as documented in the short papers they write for extra-credit. For some students the gay pin exercise allows them to encounter subtly or not so subtly the contested terrain of sexual identity and its “imperativeness” (Barth 1969) when interacting with others. In some cases, as one student suggested, they are surprised by the reactions they receive. One student commented the following about his surprise “I

thought this would be an easy assignment, ‘I do not know any one that will hassle me’, that is why I decided to do it. I was wrong.” Students who actually carry out the gay pin exercise experience the deep ingrained assumptions related to messages about sexual orientation. They realize, as one student put it, the “difficulties” of being at the mercy of someone else’s gaze, “The difficulty in this exercise came along when I went out in public to which no one knew me. This was difficult because I have never had people look at me as if I was voting Satan for president.” The exercise allows students to see their communities and their everyday interactions through a different set of lenses. Many students are surprised at the reactions they get from strangers and people close to them. As a student put it, “This assignment really did open my eyes that not everyone is as open minded as I thought.” In some cases the exercise leads them to openly discuss the taboo issues of racism, sexism, and homophobia with people close to them. In other cases, students are confronted by the painful reality of experiencing homophobia from their loved ones. I was told by a student that wearing the pin allowed her to realize her boyfriend’s homophobia. After a painful argument with her boyfriend the student ended the relationship. Ultimately, for some students the gay pin exercise allows them to connect multiple experiences of marginality. For one student this led to the realization that “. . . in time people will be more accepting of homosexuals, and they will get the rights that they deserve but right now they are going through their own type of civil rights movement like the black people did.” Students’ experiences with the gay pin exercise illustrate the validating and transformative potential of anti-racist/decolonial pedagogies when addressing cultural diversity.

Despite these potentially transformative incursions most students’ notions of diversity towards the end of the course remain grounded in fixed notions of cultural differences. In addition to the exercises described earlier, students enrolled in the course “Cultural Diversity in the U.S.” are given two midterm exams in which they are asked to critically reflect on the ideas and concepts presented in the readings, class lectures, and discussions. In an extra-credit component of the second midterm exam I asked students to answer the question, “What does diversity mean to you?” Given our engagement with the social constructedness of identities through experiential activities such as the gay pin exercise, I expected students to come up with definitions of diversity that challenged uncritical views of diversity as something to be appropriated or as a representation of uncommon differences or Otherness. As an educator committed to an anti-racist/decolonial pedagogy I was surprised by the majority of my students’ answers.

Their answers to the question, “What does diversity mean to you?” indicated their attempts to relate what they learn in my class to the essentialist scripts about diversity they encounter outside my classroom. For most students diversity simply meant different people. These differences entailed “color,” “race,” “religion,” “culture,” “ways of living,” and “thinking.” Thus diversity simply had to do with variety or the presence of a “heterogeneous population.” This variety, in their view, was measured against an unspoken norm they considered to be “. . . often times the most boring.” For some students defining diversity as

just variety lead them to think of diversity as something related to their cultural backgrounds. As one student put it, "In fact I'm pretty diverse myself, I'm all sorts of different kinds of European, and also Iranian." While an important aspect of understanding their situated positionings is recognizing the ways in which their lives are affected by cultural processes, for most students the recognition of variety in their lives was devoid of an analysis of the processes that make such expressions of difference more or less relevant to them and others.

In addition, the conceptualization of diversity as just variety was manifested in some students' notions of diversity as something that can be appropriated. For one student "Diversity represents the ability to befriend someone of color. . . , the opportunity to attend an African ritual, the chance to learn Spanish from a native speaker." Similarly for another student diversity was something to be acquired from designated diverse settings, "It would mean going to a festival—such as the Irish Festival, going to a meeting like the Star Wars convention, eating ethnic food such as at a Greek restaurant or learning another language." In this way diversity was another easily attainable commodity. As a student put it diversity "...gives me the opportunity to experience everything without leaving Dallas."

Students' definitions of diversity also reflected their views of diversity as the current state of affairs. Ideas of diversity as the status quo were related primarily to the nation. Diversity represented "being proud of our country," "who we are as a nation," "Diversity is what makes America such a powerful country because we can relate to others and others can relate to us." For other students diversity was the state of affairs in "this class," "this university." Diversity then was what brings the nation or the university together as communities of differences represented in people. These views of diversity suggest what it should be about, but assume that diversity has been accomplished. For some students cultural differences were something "good," "healthy," "positive," achieved through "peaceful and accepting coexistence." For these students their views of diversity were related to celebratory images of cultural differences that ignored conflict. As a student put it, "If you were to ask me what diversity meant to me last semester, I would have said something like 'peoples' differences. I'd like to think I've matured throughout the course of this class. To me diversity now means the differences and similarities between individuals as well as cultures. And I firmly believe it is something to be celebrated, not hidden."

Students' varying views of diversity reflect a push and pull between essentialist and non-essentialist scripts of diversity. For one student diversity meant contesting the norm, "Diversity is complex and intrinsic and is a necessity in society if you ask me. Along with being a difference diversity is also a norm, because when you really think about it homogeneity is a farse and can never truly be achieved—luckily." For this student contesting the myth of homogeneity provided the possibility to think of diversity as related to the processes that make differences meaningful. For another student challenging the myth of variety as related to diversity meant experiencing a different epistemology. As he put it, "But diversity can never fully be grasped until you stop *observing* (emphasis in original) it as if it were an issue of color, and start *listening* to it—interviewing a neighbor who is unlike you to

touch a life experience completely different from your own.” Thus for some students the contesting power of diversity came from its potential to “. . .be an entirely paradigm shifting.”

“Profound Signs” of Transformative Potential

After showing the film “Black Is/Black Ain’t” during class I was given the poem “Beauty of Being Black” written by Cheylon (a pseudonym) a student who felt inspired by the film. The poem included the following explanation, “This is a poem I wrote that I thought would go with the movie.” The film chronicles the life of Marlon Riggs as he battled and eventually died of AIDS. As a requiem of Marlon Riggs’ life the film explores both the cultural “beauty” and challenges of being a Black homosexual man. Riggs discussed profound questions related to community, sexuality, race, manhood, and sexism from the perspective of someone facing the ultimate human vulnerability—death.

Similarly, in her poem, Cheylon describes the “Beauty of Being Black” as “profound signs.” Cheylon chronicles the struggles of the past as the seeds of future empowerment. She challenges Blacks to “break free from society” by remembering “where we came from.” For her, slavery, poverty, AIDS are signs of societal oppression and ultimate expressions of its misinterpretation of Blackness. Cheylon characterizes these signs as “profound” because they are incomprehensible to “fragile minds” yet beautiful to those that are able to understand the “binds” conveyed by such signs.

For Cheylon the “profound signs” of Marlon Riggs’ experiences resonated with her interpretations of her racial identity. The film created a space for her to reflect and share how she felt about her blackness. Through her poem Cheylon was able to convey her own vision of what it means to be Black, thus, like Marlon Riggs, she used this creative space as a way to engage her agency as author of her own racial experiences. Although Cheylon had written poetry prior to enrolling in my class, up to that point she did not feel that poetry was something that belonged in a university or in a course about anthropology. She continued to write poetry and shared one more poem with me during the rest of the semester.

An anti-racist/decolonial pedagogy can be a powerful tool to challenge and transform essentialist scripts of diversity because it is “. . .an intellectual and political practice aimed at decolonizing racially exclusive institutional curricula and teaching practices in college and university classrooms” (Sanchez-Casal 2002:59). Discussing racism directly and incorporating experiences and multiple voices as legitimate knowledge constitute a “radical incursion” (Sanchez-Casal 2002:59) into epistemologies capable of sending “profound signs” of recognition and transformation to all students and instructors. In reflecting upon the legacy of Orientalism Edward Said (1985) considered that his work had the most impact in propelling the points of view of scholars marginalized by Western discourse. Said explained that “Orientalism reconsidered in this wider and libertarian optic entails nothing less than the creation of new objects for a new kind of knowledge” (Said 1985:91). This legacy, as described by Said (1985), resided in a “decentered consciousness,” an oppositional praxis,

and ultimately a political intervention written by those on the margins of intellectual discourse, cultural production, and political power.

When an oppositional praxis is articulated with the notion of cultural differences the possibility of a third pedagogical space—one that moves beyond established binaries—is created (Bhabha 1990). This kind of oppositional praxis is specifically articulated in Anzaldúa's *mestiza* consciousness (1999) and in the work of other feminist scholars (Haraway 1991; Hurtado 1996; Sandoval 2000). The anti-racist/decolonial classroom is about this “radical incursion” because by introducing the vulnerability and discomforts associated with personal experiences the classroom becomes a space in which feelings and the naming of injustices are validated and confronted by both students and instructors. The role of the educator as a positioned subject is integral to this pedagogical approach (Perry 1993; Giroux 1992). Feeling and experiencing in the classroom is certainly challenging to both students and educators who are used to thinking of the classroom as a neutral space. In the anti-racist/decolonial classroom students and instructors act as challengers and creators of knowledge (Nieto 1995) and defy the prevailing teacher/student binary (Sanchez-Casal and Macdonald 2002:7) as a way to encourage a “culture of diversity.”

The radicalism of the anti-racist/decolonial classroom occurs in “Naming *difference* as the theoretical subject of the classroom . . .” (Sanchez-Casal and Macdonald 2002:7). For Cheylon and some of the students in my Cultural Diversity course this “radical incursion” constituted a “profound sign” that allowed them to experience transformation through poetry, wearing a pin, and in some cases thinking about the term diversity.

This “radical incursion” also relies on a “pedagogical project of coalition” (Sasaki 2002) in which teaching and learning about the culture concept through a “culture of diversity” are used as instruments of social justice. As Sasaki defined it,

A pedagogical project of coalition is one that works simultaneously on two levels: externally with the aim of critiquing the institutional, cultural, and social hierarchies in which we are located, and internally, with the aim of interrogating how those locations inform who we are as both multiple and contradictory subjects. It involves helping students mediate these two levels of critical inquiry so that connections can be made along the lines of difference rather than sameness (2002:44).

This coalitional framework makes the classroom work of instructors and students political. Christine Sleeter (1996) identified the political interrogation that should take place in US classrooms when describing the ways in which multicultural education can act as a social movement. This alignment of knowledge as defying and transforming predisposed binaries of theory/practice, self/other, teacher/student, difference/sameness can be radical and liberatory (Poplin 1993; Sleeter and McLaren 1995; Gay 1997; Giroux 1997; Kincheloe and Steinberg 1997). In this way, pedagogy can be used as a catalyst to help college instructors

and students engage in cultural struggles against the injustices of cultural essentialism (Freire 1998; Solorzano and Yosso 2001).

However, in some instances, as students' definitions of diversity revealed, this "radical incursion" is difficult to accomplish. This difficulty is exacerbated when efforts to promote diversity occur in isolation. For some of the students who enrolled in my class diversity continued to be solely associated with "...simply recognizing and celebrating differences and reducing prejudice" (Berlak and Moyenda 2001:92). Diversity was measured by the ability "to get along" thus the building of coalition and community in the classroom was evaluated through the premise of unchallenged variety and multiplicity. Recently I took students enrolled in my course "Race, Ethnicity, Identity" to talk to three student organizations that gathered in what is designated in my campus as a Free Speech Area. Two of the organizations present represented opposing views of immigration. One of them was involved in a contentious incident in 2005 because of their sponsorship of an event they called "Catch an Illegal Immigrant Day." Students in my class came up with three questions that they wanted to discuss with representatives of the organizations present in the Free Speech event. I wanted students to gather information about the organizations' purposes and to give them an opportunity to interrogate and explicitly engage in an event with important political ramifications for our university and local communities. I was interviewed by a reporter from my university's newspaper who was there to cover the event. The next day the presence of my class was hailed in an editorial piece as an example of relevant learning taking place on campus. The editorial piece described the event entitled "Invasion" as a success because "...it fostered debate and discussion about a contentious issue—in a way in which superfluous passions were deflated, providing the foundations for mutual understanding" (Editorial 2006).

The seeming success of the event could be attributed to the participation of students, absence of overt violence, and seemingly peaceful dialogue. However, the "Invasion" was ridden with conflictive views. The depiction of immigration as an "invasion" akin to terrorism acted as evidence of the discursive violence that immigrants and descendants of immigrants were subjected to during this "free speech" event. I heard one student who belonged to the group that depicted immigration as an "Invasion" say that Mexicans and other immigrants are "invaders" because they come to the US illegally and don't want to learn English. As I made a comment about his assumptions my status as a Spanish speaking immigrant remained unknown and concealed. The violence absent from the editorial's description of the event was visible and really apparent to some of the spectators and participants who did not share similar views. The assumption that consensus was achieved by the event marginalized other narratives, interpretations, and experiences of this "invasion." Furthermore, the equation of consensus with seemingly peaceful reactions contributed to reinforce and sustain opposition against interpretations that remained marginalized because they challenged the violence and racism explicit and implicit in the event. The problem with consensual versions of cultural differences as contained in essentialist discourses of diversity,

such as the one described in the editorial piece, is that they "...often end[] up neutralizing difference by way of appropriating it in the name of equality and inclusion..." (Sasaki 2002:32).

Although essentialist versions of diversity sustain resistance against the challenges voiced by students and educators in anti-racist/decolonial classrooms, there are ways to encourage a culture of diversity. One way to subvert the pressure exerted against the transformative potential of anti-racist/decolonial pedagogies is to create required "Diversity Curriculum Clusters" to revoke the single course "diversity" requirement prevalent in some institutions of higher learning (Sanchez-Casal and Macdonald 2002). While sixty-three percent of colleges and universities in the U.S. have a diversity requirement in place most universities use a single course model (Humphreys 2000). A single course, as described in this article, can provide opportunities for instructors and students to foster a "culture of diversity," however this opportunity is too minimal. By incorporating a series of required interdisciplinary courses the clusters "...would allow students to become self-reflexive about the progressive cognitive and affective stages they will confront in courses that analyze the social construction of racial, gender, class, and sexual identities" (Sanchez-Casal and Macdonald 2002:15).

A culture of diversity can be accomplished by requiring students to take courses from Ethnic Studies programs or to minor in Ethnic Studies. Certainly, offering a series of required courses rather than the single course "fix" to diversity can provide multiple spaces for exploration and challenge the disciplinary organization of universities. However, such a requirement cannot be conceptualized as a "twelve step program" towards some kind of landmark understanding and achievement of diversity. As Audrey Thompson (2004) warns, radical projects can not be measured by a predetermined road map or a progressive series of "anti-racist work zones." The point of the requirement is not to crown students with the achievement of diversity as they complete it, but to model for them a project of coalition so that they can continue the process of coalition building outside university classrooms.

Since the project of deepening diversity in universities is also radical, another way to reflect and support its anti-racist/decolonial aims is by doing away with the term diversity. The required series could be named instead "Radical Curriculum Clusters," "Decolonial Curriculum Clusters," "Radical Ethnic Studies." While many educators are engaged in this work in and outside their universities renaming the curricular context of their teaching can be a powerful way to encourage a culture of diversity in universities.

More importantly pedagogical and curricular efforts related to diversity cannot take place in isolation. Universities must acknowledge the epistemic value of diversity (Moya 2002) by creating a culture of diversity that is reflected in comprehensive initiatives and institution wide-commitments (Gregory 1998; Troutman 1998). Such commitments need to involve efforts related to structural diversity—"the numerical representation of diverse groups"—informal interactional diversity—"the frequency and quality of intergroup interaction"—, and classroom diversity—"learning about diverse peoples and gaining

experience with diverse peers in the classroom” (Gurin et al. 2002). These multidimensional efforts can be modeled on what Tatum (2000) calls the ABC approach. This approach involves affirming identity, building community, and cultivating leadership. Together these efforts can result in the transformation of higher education (Haugabrook 1998).

Certainly there remains much to be done in order to move beyond the current limitations of diversity. Many painful encounters with a culture of resistance remain. Nevertheless, college instructors must continue to offer “profound signs” to their students and communities and to this end universities should be prepared to leave behind their essentialist renditions of diversity.

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**Canadian Multiculturalism Ideology:
mere tolerance or full acceptance**

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Introduction

September 11, 2001 will forever be etched in the memory of Canadians who were deeply affected by the events of that day. This cataclysmic occurrence had a pivotal place not only upon the private troubles of those directly related but also upon the public issues and the consequent public policies of all of us who may not have been as directly touched. Such a life-changing experience will impinge upon the politics of our entire nation. The terrorist act was a political statement at one level which must be addressed politically as well. It is noteworthy, given this context of the terrorist attack in the nation to the South, that October 8, 2001 represented the thirtieth anniversary of the political declaration of multiculturalism as a public state policy within Canada. What difference does the official policy discourse and ideology of multiculturalism make in the political response to the ethnocultural and racial diversity within and without its national borders?

This three-and-a-half-decade milestone in Canadian history along with Canada's new government affords a timely opportunity to examine the memory of the past, to determine its place in today's society as well as reflect on the future politics of multiculturalism in ethnicizing the Canadian nation. The 1971 political announcement by the Liberal Prime Minister Pierre Elliott Trudeau ushered in and institutionalized a new process of Canadian ethnicizing that contrasted to a bilingual and a bicultural vision of the previous decade as well as the contrasting melting pot ideology. Interestingly, this announcement was made a day before the Prime Minister was to address the Ukrainian Canadian Congress in Winnipeg. The political expediency of and political pressure on the Prime Minister has been often noted by scholars. The minority groups themselves, in this case the Ukrainians, have had a role in pushing the ideology of multiculturalism into an inclusive full acceptance of rather than mere tolerance for minorities in Canadian society. The transformation of the policy emerged in the changing political, economic and ideological context of the day. Subsequently, the 1980s witnessed the adoption of Section 27 into the Canadian Constitution, under the last political parliamentary mandate of Liberal Prime Minister Trudeau, which assured the preservation and the enhancement of the multicultural heritage of Canadians.

The continued attention of Parliament in ethnicizing the nation was manifest in several ways. The 1984 *Equality Now!* Report and the 1987 *Multiculturalism: Building the Canadian Mosaic* parliamentary report both recommended institutionalization of the ethnicizing policy into an act. Accordingly, parliamentarians themselves have played a

significant role in pushing multiculturalism ideology towards a more inclusive full acceptance of diversity in Canadian society as a national public policy. The Canadian Multiculturalism Act was proclaimed in 1988 under the auspices of the new Conservative Prime Minister Brian Mulroney. The bipartisanship participation of the Liberals and the Conservative parties, along with that of the third and other parties in parliament encouraged the embracing of a wider notion of multiculturalism ideology as a national policy and practice. This paper examines political developments in the managing of Canadian diversity and the resulting new paradigms for ethnicizing the nation as we have embarked into a new millennium. I would suggest that tracing the history in the evolution and transformation of multiculturalism as a state policy (Lewycky, 1992) offers an evaluation of the ideological strategy of acceptance and good will for dealing with the diversity of ethnocultural groups as well as visible minority groups within Canadian society. The term visible minorities has become a somewhat unique Canadian label for all and any minority groups within Canada who are not white. The visible minority nomenclature incorporates all the sociological connotations the label implies as to experiences of overt and covert prejudice and individual, group or institutional discrimination that these Canadians have experienced. Lessons of the past can provide for us a direction for the future as well as models for comparative democracies.

Melting Pot and Mosaic

The multiculturalism ideological strategy of open full acceptance in contrast to the previous objective of mere tolerance for managing the ethnocultural diversity of groups within Canada has its roots in the political programs which were reflected in the early Canadian metaphors of a melting pot and a mosaic. Palmer (1976) outlined three distinct ideological perspectives in the first century of Canada's history for managing the 'other' ethnic groups: Anglo-conformity, melting pot, and cultural pluralism. These match three major waves of European immigration into Canada: 1900-1914, 1919-1939, and post World War II immigration (O'Bryan, Reitz and Kuplowska, 1976:6). The level of tolerance for the 'other' progressively increased and was reflected in the changing metaphors of the mosaic. Frye (1963) has suggested that with an educated imagination we discover we live in two different worlds, 'the world we live in and the world we want to live in.' This applies to the hegemonic notion of tolerance in early Canadian society.

The Canadian father of social work, J.S. Woodsworth embodied these two ideas in his two seminal books, *Strangers Within Our Gates* and *My Neighbour*, at the turn of the twentieth century when Canada invited its first major wave of European migration. Frye (1982) has suggested that the Western world operates within a mythological universe that is a great code that is our ideological legacy especially as reflected in the literature of Great Britain. Victor Hugo expressed the same viewpoint when he said, "England has two books: one which she made; the other which made her — Shakespeare and the Bible."

(Brown, 1979:7) It is out of this worldview in the Canadian era of Anglo-conformity that we find the founder of a political party in Canada offering his version of tolerance towards the other ethnocultural groups who were coming to the prairies to settle in the agricultural hinterlands and cities of the West. His earlier idea and value of tolerance finds its roots in the Old Testament scriptures where the Israelites were to be welcoming of the foreigners and "strangers within their gates". His subsequent value of full open acceptance finds its roots in the biblical story of the Good Samaritan who becomes a true neighbour to someone who needs him. We can note the progression from mere tolerance to the subsequent full open acceptance in the metaphors of a stranger who becomes a neighbour.

The ideological legacy of mere tolerance is also reflected in the metaphors of the melting pot and the mosaic between the two world wars. The melting pot metaphor was never as dominant an ideology in Canada as it was in the United States from where it was transported. For example, Henry Ford's English school graduation ceremony incorporated graduates wearing old world costumes who strolled off a huge immigrant ship into a huge melting pot and emerged wearing American clothes and waving American flags (Palmer and Troper, 1973:18). This tolerance included a caveat that all immigrants must eventually be assimilated into mainstream American life and values. In contrast, the Canadian notion of tolerance and the prototype of acceptance used the melting pot metaphor to argue against excluding certain immigrants from Canada as undesirables. The Canadian melting pot envisioned a new Canadian *homo sapiens* who blended biologically and culturally.

Because the Canadian value of tolerance was strong, the melting pot metaphor was easily replaced by the mosaic. Interestingly enough it is an American, Victoria Hayward (1922) whose observations led her to label Canada as being a mosaic. The mosaic metaphor which conveys a proto-notion of acceptance was reinforced by Kate Foster (1926) and John Murray Gibbon (1938) during this second major era of Canadian immigration. Like Woodsworth, Foster's Y.M.C.A. manual of information for social workers attempted to foster tolerant reciprocal relationships between foreign and native-born Canadians.

Gibbon's (1938) series of ten radio programs traced the contribution to the building up of the nation of Canada by each ethnic group. He believed 'in trying to preserve for the future Canadian race the most worthwhile qualities that each racial group has brought with it'. An important project, for Gibbon, is to 'discover, analyze and perfect the cements which may best hold the coloured slabs (of the mosaic) in position'. He concludes with an illustration of a folk festival as being the epitome of a cemented mosaic and the role the training provided in Canadian schools can have as the finest and the strongest cement for the Canadian Mosaic.

In the era of ethnic cultural pluralism discourse during the third wave of immigration into Canada, immigrants after World War II brought a different set of sociocultural characteristics than previously even if they had emigrated from the same countries. They had a higher level of education and technological skills and were more urban-oriented. As demonstrated in their submissions to the Royal Commission on Bilingualism and

Biculturalism (1970), these post-war immigrants were not willing to accept the limitations that the Canadian structures imposed to their integration. They were unsatisfied with the notion of mere tolerance but wanted full acceptance into Canadian society. In fact, so strong were the objections of Commissioner Professor J. B. Rudnyckyj that he even attached a minority report to the Royal Commission's Book IV final report. The government's response to the B & B Commission's report eventually led to the Prime Minister Trudeau 1971 political pronouncement of a multiculturalism policy.

In the post World War II period, the earlier picture of a harmonious and tolerant Canadian mosaic, where there is equality among the various panels of the mosaic was also challenged by John Porter (1965). His classic book, *The Vertical Mosaic*, documents the lack of acceptance, inequality and the ethnic stratification in Canadian society. Thus we have a debate developing among many subsequent scholars. The potency of Porter's critique and the static imagery of the mosaic panels may have been the Achilles heel for the metaphor of the mosaic not becoming an enduring metaphor for the values of tolerance that are cherished in Canadian society. However, to a certain extent the mosaic metaphor does persist. Driedger (1978) revived the *mosaic* analogy by drawing upon the analysis of the 1971 census by Vallee and de Vries in proposing the 'regional mosaic' of ethnic groups within Canada. In subsequent analysis, Driedger (1987, 1989) has incorporated the inequalities that persist in Canadian society into his mosaic in spite of the value of mere tolerance that a mosaic conveys.

Mosaic to Multiculturalism

Yuzyk (1973:38) credited another American, Charles Hobart, a sociologist, as being the first to use the term *multiculturalism* in the discourse to describe the most recent and enduring metaphor for tolerance and acceptance of diversity in Canadian society. Whereas Hayward's mosaic stood in contrast to the melting pot of her day, Hobart's multiculturalism contrasted the American melting pot ideal in his day. Since Hobart coined the term, Canadian multiculturalism has frequently been referred to as an ideology. Dorothy Emma Moore (1980), Rodney A. Clifton and Lance W. Roberts (1981), Evelyn Kallen (1982), Kogila Moodley (1983), B. Singh Bolaria and Peter S. Li (1985) and Jean Leonard Elliott and Augie Fleras (1990), to mention a few have all made that reference. As an ideology, however, it has experienced a notable transformation. As I trace this evolution of an ideology, I expect we will see even further transformations in the new millennium.

Multiculturalism in Canada since the 1960s was initially theoretically conceptualized in terms of ethnic and race relations (Bumet, 1975, 1983; Patel, 1980). The ethnic relations perspective dominated the 1970s; the race relations problematic emerged in the 1980s; the political economy approach was added for the 1990s. The differences in the three above-mentioned formulations of multiculturalism can be compared to the way we can talk about the daily temperature e.g. Fahrenheit and Celsius scales and the later developments of

the wind chill, humidex, or ultraviolet risk factor weather indicators. For instance, the proponents of the race relations school in the 80s argued that their treatment of discrimination and racism are additional factors to which ethnic relations does not give due recognition. In a similar fashion, the political economy school emphasizes the economic, political and ideological dimensions in Canadian society which must be considered in any analysis and evaluation of multiculturalism policy in Canada.

Furthermore, numerous histories on various groups in Canadian society, using the ethnic relations approach, missed a systematic discussion of how ethnic and racial groups have been allocated into their various positions in the economic, political and ideological spheres of Canadian society. Cultural comparisons are often drawn between various ethnic and racial groups. However, when we abstract the cultural universals in ethnic relations and focus on function, we have an ahistorical treatment of migration to Canada. From a political economy perspective, the context in which race relations situations occur is missing.

Historically, the ethnic relations paradigm dominated analysis of multiculturalism in Canada. Jean Burnet (1975) described the government's policy of ethnic relations as being multiculturalism within a bilingual framework. This policy she argued, however, did not have a clear mandate regarding immigration and racism.

Spokesmen who pressed hardest for a policy of multiculturalism did not concern themselves overmuch with the situation of recent immigrants in Canada (1975:37).

Burnet pointed out that, structurally, multiculturalism has been historically dealt with by the Secretary of State while immigration has been under the auspices of another department. It is thus understandable that the first study commissioned under the policy of multiculturalism was one on non-official languages (Burnet, 1983:239). While the work by O'Bryan, et al. (1976) does refer to immigration phases, and considers the context briefly, it is primarily concerned with cultural (language) retention. Given the nature of immigration up to that time, no issues of racial discrimination were raised. Yet it is just these kinds of human rights rather than collective cultural rights of the other ethnic groups that were of utmost concern to new immigrants from the Third World. Burnet asserted that

the policy of multiculturalism within a bilingual framework is handicapped by its name and by its lack of unambiguous conceptualization in dealing with its critics and with the new ethnic composition of the population (Burnet, 1983:241).

Raymond Breton (1979, 1980), Jean Burnet (1983), Leo Driedger (1978, 1989) and Jean Elliott (1983) best represent the ethnic relations school of thought. Politically, the ethnic relations approach is best represented by the 1970 Report of the Royal Commission on Bilingualism and Biculturalism, especially *Book IV: The Cultural Contribution of the Other Ethnic Groups*. In fact, Jean Burnet is credited with the writing of that report (Palmer, 1991).

In addition, the ethnic relations approach to multiculturalism dominated the 1970s political climate and to a degree into the 1980s. For example, Sheridan (1989) did not cite even one author from the race relations school of thought. His historical background paper on Canadian Multiculturalism by the Library Research Branch of Parliament was especially prepared for Members of Parliament. In contrast, the work of Patel (1980) within the departmental bureaucracy and the situation reports on race relations commissioned by the Minister of State for Multiculturalism for Canada informed the 1984 *Equality Now!* report produced by the Special Parliamentary Committee on the Participation of Visible Minorities in Canadian Society.

The *Equality Now!* Report was the first major report to identify and define what was meant by the term, *visible minorities*.

For the purposes of this report, visible minorities have been defined as non-whites who are not participating fully in Canadian society. The approximate non-white population of Canada is 1,864,000 or 7 per cent of the population. These figures include the aboriginal people, Canadians with origins in Africa, Arab countries, China, India, Pakistan, Japan, Korea, South East Asia, Latin America, the Pacific Islands, the West Indies, and the Philippines (Equality Now!, 1984:2).

The Special Parliamentary Committee on the Participation of Visible Minorities in Canadian Society was a milestone report in that it provided a voice for the marginalized and those who had experienced discrimination. The Committee made itself available and approachable to the entire country. By traveling and holding hearings in all parts of Canada, those who would not normally be able to come to Canada's capital in Ottawa, could still be heard.

To ensure that the Canadian public was informed about its work, the Committee placed advertisements in major daily newspapers across the country. The last advertisement was placed just prior to its arrival in major cities. The Committee received hundreds of letters; approximately 300 briefs were sent to Ottawa and a 130 groups of witnesses were heard in Ottawa, Halifax, Montreal, Toronto, Winnipeg, Regina, Yellowknife, Whitehorse, Edmonton and Vancouver. The Minister of Justice and the Minister of Multiculturalism testified before the Committee. The Committee also actively solicited information from other sources, both private and public (Equality Now!, 1984:6)

Third World immigration into Canada led Canadian scholars to deal with issues of racism and discrimination. The race relations paradigm as imported from Great Britain into Canada in the 1980s was the dominant paradigm for analyzing race and ethnic relations in the United Kingdom. Academically it had been institutionalized into many Canadian

university course offerings in sociology. Politically race relations issues have increasingly appeared on governmental agendas (Miles, 1982:1, 20). However, from the political economy perspective, race relations studies do not adequately account for the total context in which race relations situations occur. The race relations problematic with its focus on race as a key operational variable in race relations does not develop systematically the economic, political and ideological relations that structure racism and discrimination. Miles (1982:43) asserts that

the analytical task is...neither to try to locate a place for a concept of 'race' in some theory nor to try to develop a theory of 'race relations' but to identify the conditions for the generation and reproduction of the idea of 'race', which is to explain why certain sorts of situation and relations appear (i.e. are socially constructed) as 'race relations'

Theoretically, the race relations perspective in Canada which informed the government of the day and provided some direction for parliamentary committees was the report by Dhiru Patel (1980). Additionally, there were situation research studies done in eleven cities across Canada dealing with race relations (*Equality Now!*, 1984:4). Politically, the race relations approach is best represented by the *Equality Now!* report that was tabled in the House of Commons in May, 1984. This was within the parliamentary domain of the Minister of Multiculturalism. A complementary effort, the Abella Royal Commission Report on Equality in Employment which focuses on employment equity for visible minorities, was the responsibility of the Minister of Employment and Immigration. Employment equity is the Canadian equivalent of affirmative action in the United States that encompasses not only visible minorities as immigrants but also Canada's indigenous population. This report was published later in October, 1984.

The Special Parliamentary Task Force on the Participation of Visible Minorities in Canadian Society, that produced the report *Equality Now!*, in some ways served as a catalyst to expand the horizons of multiculturalism ideology within Canadian society. The report highlighted the fact that the Canadian perception is that compared with other countries, Canada has positive reputation in the area of race relations. No laws or rules in institutions seem to deny equality of opportunity for visible minorities. Many studies seem to affirm that Canadians are not racists. However, the report proceeded to acknowledge that Canada has flaws, nonetheless.

Research has shown that as many as 15 per cent of the population exhibit blatantly racist attitudes, while another 20-25 per cent have some racist tendencies. Moreover, even those individuals who are very tolerant can, with the best of intentions, engage in racism without knowing it or meaning to do so. Similarly, institutions can

unintentionally, restrict the life chances of non-white individuals through a variety of seemingly, neutral rules, regulations and procedures (*Equality Now!*, 1984:3).

Thus we can see where Parliamentary Committees have also had a role to play in pushing Canadian multicultural ideology towards full acceptance of all minorities.

The political economy approach, illustrated by B. Singh Bolaria and Peter Li (1985), Frances Abele and Daiva Stasiulis (1989), Vic Satzewich (1988, 1989), Miles (1988, 1993) and Wallace Clement and Glen Williams (1989) is an alternative attempt to understand ethnic and race relations in Canada. From a scholarly perspective, it is interesting to note that those who have written from within the ethnic relations school of research have tended to deal with multiculturalism as a positive policy of tolerance. They have defended the policy and have written about various ethnocultural groups which have integrated into Canadian society. On the other hand, the race relations school of writers are critics who have tended to oppose multiculturalism as a policy because its focus on culture has neglected the issues of racism and discrimination within a policy of tolerance. Politically the *B & B Report* as well as the *Equality Now!* report propelled the policy of multiculturalism into the public arena for debate. Academic and, in a contrasting way, political intellectuals have grappled with the institutionalized transformation and resilience of multiculturalism in spite of its rejection by those who adhere to the dominant ideology of bilingualism and biculturalism (Fleras and Elliott, 1992, 2002).

The political function of this multiculturalism discourse has frequently been perceived as an attempt to placate and entice ethnic votes under the guise of tolerance. However, with a change in immigration from the traditional source of European countries to various Third World ones, a new reality emerged. The new immigrants, usually identified as visible minorities had different priorities on their agendas.

The sensitivity of the federal government to the new ethnic situation was evident in late 1975 when... the Hon. John Munro, announced that henceforth priority would be given to group understanding and the combating of discrimination rather than cultural survival (Burnet, 1983:241).

The new demographic presence of visible minorities in Canadian society, coupled with the erstwhile ignored Native Aboriginal Canadians, as well as groups such as the Blacks of Nova Scotia, was reflected in the discourse before the Special Parliamentary Committee on the participation of Visible Minorities in Canadian Society and in its report *Equality Now!* The discourse and the title of the report incorporates the notion of an idea plus action, not only mere tolerance but also full acceptance into Canadian society. Patel's research on 'race relations' argued that the notion of multiculturalism must be transformed if new realities were to be accommodated.

As conceived of and implemented at present, the policy of multiculturalism... simply recognizes and legitimizes, for example East Indian ceremonies and Ukrainian dances, nothing more. (Patel, 1980:36,38,39).

Tolerance is confined to cultural activities. The possibility of multiculturalism ideology being transformed was explicitly recognized and acknowledged by Patel as early as 1980.

...if the idea of multiculturalism is to mean more than just 'ethnic' ceremonies and dances, then it has to incorporate an important if not substantial element of genuine power sharing at all levels (Patel, 1980:60).

The discourse of the recommendations in *Equality Now!* and various situation reports as well as research for the Parliamentary Committee considered the structural aspects of multiculturalism policy. Issues of racism were consciously incorporated as a result of research and hearings across the country.

Upon assuming office in 1984, the Mulroney government embarked upon an exercise of adopting a business approach to all government operations. The new Conservative government announced that their new policy of 'mainstreaming multiculturalism' (Lewycky, 1986:14) would replace the old Liberal one. In 1986, with a new Minister of Multiculturalism, the government held a Multiculturalism and Business Conference in Toronto. Therefore, as far as the government policy on multiculturalism was concerned: 'Multiculturalism means Business!' (Lewycky, 1986:15). The ideology of letting the free market determine all government activities was reflected in the Nielsen report commissioned by the Mulroney government. Cultural and discrimination issues took a back seat.

Race Relations and Racism

New definitions were shaped by new historical contexts raising the issue of race relations and racism. The influx of visible minority immigration into Canada during the 1970s and the 1980s provided a new demographic dimension and, given the fact of universal suffrage, a new political context for the report *Equality Now!* These new political constraints further changed the discourse in the ideology of multiculturalism. Since ideology is not a static phenomenon, we can understand this aspect of dynamic in the notion of multiculturalism. The critique that Peter Li gives with regards to a 'culture approach' to the study of ethnic and race relations is the frequent type of critique given to the Standing Committee that wrote *Equality Now!*

Among the strongest critics of the misuse of the concept of culture is Valentine (1968) who pointed out a potential tautology in using culture as a description and an

explanation...approach to culture is mainly static. Culture is often seen as primordial and eternal...This primordial culture is monolithic, and the cultural heterogeneity of the home country is rarely considered (Li, 1988:35,28).

If multiculturalism is not perceived in restrictive cultural terms, but rather as a dynamic ideology, a different understanding arises.

Most of the scholarly work in this area has involved studies of individual ethnic communities and ethnic relations...internal debate about the nature of multiculturalism - the only one in Canada - expressed mainly in journal articles and conference dissertations, has taken place among Canadian sociologists and several other academic specialists in recent years. With only a few notable exceptions, however, this debate reveals a considerable ignorance of or disinterest in its political dimensions (Hawkins, 1989:227).

Satzewich (1991) underlined the fact that the state sometimes prohibits the entry of certain individuals into Canadian society. He has documented ways in which non-whites have been precluded from entry into Canada. Similarly, we can recall Liberal Prime Minister Mackenzie King's desire to exclude Jewish immigrants. For other immigrants the state plays the role of facilitating their entry. This political dimension in the tolerance or acceptance of the other into Canadian society requires further attention. One of the lacunae in the political process has been an adequate understanding of the role of parliament and Members of Parliament in this whole process. I want to point out some specific political parliamentary dimensions to immigration, ethnicity and race relations. While there are important economic constraints upon government that must be recognized, the government does have a relative autonomy in choosing courses of action vis-à-vis race and ethnic relations delineated above. The nature of a parliamentarian's role has undergone substantial transformation (Lewycky, 1989:240-259). The Member of Parliament is now considered to be a full time professional with staff who can be expected to take on an increasing responsibility for immigration and race relations concerns as part of the political agenda. A parliamentary committee was an institutionalized structure for addressing such matters. In addition there are other political institutions such as caucuses which can liberate or constrain state involvement in racial inequalities. Regardless, in the Canadian experience, however, individual parliamentarians have also played a significant role in pushing the ideology of multiculturalism towards a more inclusive full acceptance rather than mere tolerance of ethnocultural diversity.

One major development arising from the *Equality Now!* report, the outcome of a Special Parliamentary Committee on the Participation of Visible Minorities in Canadian Society, was the establishment of a Permanent Standing Committee on Multiculturalism in the House of Commons. On Friday, June 28, 1985, the Federal Government implemented Recommendation 26 that called for the establishment of a Committee on Multiculturalism.

The idea for a Standing Committee on Multiculturalism was first raised in the House by the Multiculturalism Spokesperson for the New Democratic Party on December 9, 1983 (Lewycky, Hansard). Canada with its multiple party parliamentary system is conducive for initiating political change or enhancing the expansion of public policy such as the embracing of a more inclusive multiculturalism ideology of full acceptance. Numerous ethnocultural and visible minority organizations had indicated that such a permanent forum would provide a means for monitoring progress in the area of race relations. The Conservative Mulroney government in its second term of office briefly disbanded this committee. However, the public outcry that resulted forced the government to reconsider its actions and restore the committee. In this way the pressure exerted by ethnocultural and visible minority groups were a significant factor in broadening multiculturalism ideology beyond mere tolerance.

The terms of reference for the Standing Committee on Multiculturalism stated that the permanent order of reference for the Standing Committee on Multiculturalism be as follows:

that the Committee be empowered to encourage and monitor the implementation of the principles of the federal multicultural policy throughout the government of Canada, and in particular, (1) to encourage the departments and agencies of the federal government to reflect the multicultural/multiracial diversity of the nation, and (2) to examine existing and new programs and policies of federal departments and agencies to encourage sensitivity to multicultural concerns and to preserve and enhance the multicultural/multiracial reality of our nation, and:

that the Committee be authorized to select and initiate subjects for investigation within their jurisdiction and to prepare background papers, reports and research in this regard.

That such changes did follow can be documented by the fact that this committee had worked towards the introduction of a Multiculturalism Act in 1988, and was involved in the bill which would re-structure the Department of the Secretary of State which is responsible for defining and dealing with citizenship. Members of Parliament are in a representative role vis-à-vis their respective constituencies. However, even there they do possess a relative autonomy when elected and in their capacities as M.P.'s. Likewise, even though their political parties and caucuses may constrain them, there is a degree of relative autonomy in that area as well. Thus the 1984 *Equality Now!* Report was able to pave the way for groups seeking redress, such as the Japanese Canadians. Justice, an ethical multiculturalism issue of tolerance and acceptance, meant that the War Measures Act that had been raised during the 1970 October crisis was revisited. The minority view during World War II as expressed by the Cooperative Commonwealth Federation (CCF) Member of Parliament, and later the leader of the New Democratic Party (NDP), Tommy Douglas and his plea for tolerance and acceptance in Canadian society was given a second look. This third party phenomenon in the

Canadian parliamentary governance has consistently played a progressive role in expanding the ideology of multiculturalism into becoming more inclusive.

Subsequently issues of citizenship gained more prominence and it seemed that multiculturalism was being submerged by a value of citizenship (Fleras and Elliott, 1999). World conflicts, however, such as those in the former Yugoslavia and parts of Africa as well as the Middle East again have thrust the underlying value of tolerance and acceptance as exhibited in the ideology of multiculturalism to the forefront. The 2001 World Conference against Racism in Durban, South Africa was another such focus.

Triumph of Terrorism or the Triumph of Tolerance and Acceptance

Richard Day (2000) traces Canadian diversity to the ancient antecedents that can be found in discourses of Plato and Aristotle. He argues that a state-sponsored multiculturalism has become a failed solution which is trapped in a fantasy of unity. All of these issues of diversity, however, were singularly eclipsed by the terrorist attack of September 11, 2001 in New York. The media brought to our attention the stark reality of that tragic event. Further, media shapes not only our perceptions of world situations but also our ideological responses and strategies for dealing with issues of immigration, race relations and racism. The media places certain issues on the agenda. Griffin (2000) has noted in his covering of the agenda-setting theory that its history and scope varies from the limited effects model of the early founders to the more powerful version espoused by Maxwell McCombs and Donald Shaw. Given the influence of the media gatekeepers in terms of what the viewers see, it is interesting to observe the political responses to the coverage of the events of September 11, 2001 and the subsequent treatment of visible minorities in society.

Canadian Multiculturalism, albeit state supported, has emerged as our ideological metaphor for tolerance and acceptance as an antidote for our history of intolerance. Politically, in Canada, in the wake of September 11, 2001, only minority parties were highlighting the necessity for caution and urging tolerance and even more so acceptance of ethnocultural and racial diversity. Canada has had its share of intolerance, such as the expulsion of the Acadians in 1755, part of the history of the Maritimes. We must learn from our own Maritime history that intolerance can be overcome and through tolerance and acceptance, a rich legacy of equality and justice can be bequeathed to the next generation. From a political perspective, as the demographics of the Maritimes and Canada are examined, Canada requires a substantial increase in immigration if the decline in population is to be reversed. This immigration source, as our history as shown since the 1960s, is no longer the European continent. Instead all of Canada and not just the Maritimes will have to rely on immigration from source countries that bring into the Canadian context, increased numbers of visible minorities.

Multiculturalism as an ideological metaphor for not only mere tolerance but also full acceptance may yet prove to be as an enduring symbol for the Canadian ideology of managing diversity within our borders. Why is it that Canada has apparently been willing to embrace an ideology of multiculturalism that goes beyond mere tolerance to full acceptance? This paper has traced various factors that have contributed to the direction that the ideology of multiculturalism has evolved. The changing demographics of an immigrant receiving country has forced the hand of Canada's Anglophone and Francophone hegemonic charter groups to adopt a more hospitable approach to managing diversity within Canadian society. These ethnocultural groups and their organizations have at various times exerted their political pressure, given their voting clout, to expand the horizons of Canada's policies of inclusion in the body politic. Individual scholars and parliamentarians in important Royal Commissions and Parliamentary Committees have had significant input into the transformation of multiculturalism ideology. Canada's historical bilingualism and biculturalism of the two charter groups in contrast to the monoculturalism of its neighbour to the south, has ideologically provided space for expansion from biculturalism to multiculturalism. Added to this has been the bipartisan support that has developed from the two major governing parties – Liberals and Conservatives. Also the impetus for change, innovation and progress has been provided by the third and multiple party phenomena in Canadian politics. This parliamentary influence has had an impact on the ideology of multiculturalism. Perhaps the single most important contributing factor has been the impact of the milestone report *Equality Now!* which acted as a catalyst to force multiculturalism ideology to incorporate a response not only to prejudice and cultural diversity but also issues of racism as well as individual and institutional discrimination within Canada's seemingly tolerant society.

Around the world, the maple leaf on our flag is our symbol of Canada as a peace loving nation of shalom. As we recall the acrimonious flag debates of the early 1960s, so we can recall all the current controversial debates about multiculturalism. Just as the maple leaf has become institutionalized politically as our visible symbol of shalom and welcome so too multiculturalism has become institutionalized as our invisible ideological symbol of full acceptance of our diversity. Canadian multiculturalism ideology is being transformed from a memory of multiculturalism as tolerance, to the place of multiculturalism in society as the potential beacon for the value of full acceptance in Canadian society. Even the new current Conservative government of Stephen Harper has jumped on the multiculturalism bandwagon. Prime Minister Stephen Harper recently officially offered a full apology for the notorious Head Tax imposed on Chinese immigrants entering Canada between 1885 and 1923. In addition, the Government of Canada made symbolic ex-gratia payments to those who are still alive and were required to pay the Head Tax or their surviving spouses. Furthermore, Canada will fund national and community projects regarding the impact of past wartime measures and immigration restrictions on ethno-cultural communities. Will multiculturalism survive? Will the threats of terrorism or globalization in a post-modern

world obliterate multiculturalism? Post-modern society seems to favour pluralism. It would seem that postmodernity should be a conducive context to maintaining the new transformed multiculturalism ideology which increasingly seems to embody the notion of full acceptance not mere tolerance.

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**The Ties that Bind:
Asian American Communities without “Ethnic Spaces” in Southeast Michigan**

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INTRODUCTION

According to the 2000 census, over 12 million Asian Americans, almost 70 percent of them either immigrants who came to the U.S. after 1970 or their children, comprised an ethnically and socioeconomically diverse population that was more regionally dispersed throughout the U.S. than ever before. (Lai and Arguelles, 2003). Despite these transitions and increasing heterogeneity, discourses about Asian American communities have focused on ethnic enclaves such as Chinatowns, Koreatowns, and Little Saigons where coethnic residents, businesses, services, institutions and organizations exist and interact in urban or suburban physical spaces of the bicoastal United States (Fong, 1994; Li, 1999; Zhou and Bankston, 1988). According to Kathleen Wong (Lau), these tangible markers tied to space are often privileged as authentic Asian American communities while those without demographic concentrations and geographically bound enclaves are “less advanced” communities; as a result, “[w]hat is not recognized in the literature is the ‘localness’ of this production.” [1997:83].

Through her study of the St. Louis Chinese community, Huping Ling (2005) traces its transformation from “Hop Alley” to a “cultural community,” a shift attributed to the growth of professional and self-employed Chinese population from Mainland China, Taiwan, Hong Kong, as well as other parts of the U.S. in the post civil rights era. Like other Chinatowns, Hop Alley began as a racially segregated area in the 1860s; it was razed in 1966 to create a parking lot for Busch Stadium and in its place, a new, suburban, “not quite visible yet highly active and productive Chinese American community” has developed (2). The cultural community model, according to Ling, “serve(s) to explain why new suburban Chinese communities have emerged, have scattered, and have blended with other ethnic groups” (12) as it may lack demographic concentration and physical boundaries but is defined by common cultural practices and beliefs that its members endeavor to maintain and transmit to others, especially their children. Vo and Bonus (2002) argue for an expansion of the bicoastal U.S. ethnic enclave model that takes into account not only the historical roots but also the fluid, transitioning, and complex “intersections and divergences” of contemporary Asian American communities that form across physical, social, and electronic sites. Ling’s cultural community model takes into account the unique attributes of a local and regional space – St. Louis and the Midwest – that diverge from the ethnic community models on either U.S. coasts.

This paper examines how Asian Americans in Michigan – in particular, southeast Michigan – constructed, maintained, and transformed their sense of community in places without a “critical mass” population and ethnic enclaves.ⁱ In 2000, Asian Americans comprised about 2.1 percent of the total Michigan population (Lai and Arguelles, 2003).ⁱⁱ My findings show that the number,

variety, and persistence of Asian/Asian American ethnic organizations and associations in Michigan refute the bicoastal model that without geographically and physically discernible enclaves, a community is underdeveloped or does not exist. Although churches, temples, and college campuses do act as spatially anchored examples of communities for their members, Michigan Asian American communities do not resemble traditional ethnic enclave models that have dominated the study of racial/ethnic communities in the U.S. The primacy of organizations, associations and social networks, both formal and informal, indicate that despite dispersed patterns of residential and ethnic business/services, respondents make an effort to create a community with coethnics and to a lesser degree, other Asian ethnic groups, in response to political issues that are perceived to affect Asian Americans as a racialized group.

RACE, SPACE, AND REGION: ASIAN AMERICANS AND THE MIDWEST

As late as the 1940s, 90 percent of Asian Americans lived along the West Coast and in Hawai'i but by 2000, this percentage had dropped to 48 percent. As more Asian Americans migrate to and settle in "unexpected places," scholars, especially those "East of California", have critiqued the West Coast-centric – and in particular, California-centric – history of Asian American Studies, examining histories and emerging community formations beyond well-known ethnic enclaves (Okiihiro, 2001; Sumida, 1997).

The U.S. Census Bureau defines the Midwest as a combination of two subdivided regions: the East North Central states – Ohio, Indiana, Illinois, Michigan, and Wisconsin – and the West North Central states – Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas. The Midwest, dubbed the "heartland" and the center of America, has remained in the margins of Asian American history despite the significant role it played in the destabilization of its communities in the twentieth century. According to Victor Jew (2003), the Midwest served as "a good place to disperse two waves of Asian American population 'unsettlements'": first, in the 1940s, when the War Relocation Authority deliberately resettled incarcerated Japanese Americans throughout the Midwest in an attempt to abolish pre-war social ties and institutions and second, after 1975, when federal departments and agencies created a Southeast Asian diaspora throughout the Midwest and the nation in order to diffuse the usage of economic and social support services. With most Asian Americans living in Hawai'i and the West Coast, the federal government imagined the Midwest as a place where Asian Americans could be scattered and become "un-Asian" (Jew, 2003; Sumida, 1997). Yet, the transplanted population and Asian Americans who were *already* living in the Midwest prior to these historical moments, reconstituted their lives and communities.

Additionally, since the passage of the Immigration Act of 1965, Asian Americans have migrated to and settled in the Midwest for educational and employment opportunities available at higher education institutions, industries, and/or through family sponsorship (Jew, 2003). As a result, 53.7 percent of the Asian only population residing in Midwestern states in 1999 had a college bachelor's degree or more, compared to 44.1 percent of the Asian only population in the U.S. More than a quarter of the Midwestern Asian only population (25.7 percent) had a graduate/professional

degree or more, compared to 17.4 percent of the U.S. Asian population. Michigan's Asian-only population exhibited the highest percentage of bachelor degrees or higher (61 percent) and graduate/professional degrees or more (32.3 percent) among Midwestern states (Lai and Arguelles, 2003). For those who reported their background as one race only, Michigan's population comprised of 80.2% non-Hispanic Whites, 14.2% African Americans, 0.6% American Indians, and 1.8 % Asians in 2000. Combined with the growing yet small percentage of Asian Americans residing in the Midwest, these demographic trends have been celebrated as the successful socioeconomic integration of Asian Americans, particularly first-generation professionals, in the perpetuation of the "model minority myth" (Anderson and Smith, 1983; Glazier and Helweg, 2001). According to Portes and Rumbaut (1990), immigrants of color from these backgrounds tend to assimilate more quickly into the mainstream. Others charge that these aggregated demographic trends continue to marginalize the real socioeconomic disparities that exist within the heterogeneous Asian American population and dismiss issues of racial discrimination, including hate crimes and employment discrimination, that Asian Americans experience regardless of education, occupation, and income (Wu, 2001; Zia, 2000).

In order to study how U.S. regionalism and racial formations intersect in everyday lives, I interviewed 40 Asian Americans (20 women and 20 men) between 18 and 70 years of age who consider Michigan their home state through immigration, migration, or birth. Potential respondents were contacted via snowball sampling through various community organizations, campus organizations, and personal references to access different social networks. Interviews lasted between 45 minutes to three and a half hours. The respondents' ethnic backgrounds were Chinese, Filipino, Hmong, Indian, Japanese, Korean, Taiwanese, and Vietnamese. Most were first-generation ($n=17$) or 1.5 (defined as those born outside the U.S. but immigrated in early childhood before the age of 12) and second-generation ($n=21$). More than half ($n=23$) of the respondents were born outside the U.S. and seventeen were born in the U.S.; twelve were born in Michigan.ⁱⁱⁱ

The interviews were conducted in 1998 and 1999; all respondent names in this study are pseudonyms. Respondents were asked about their immigration and settlement histories in Michigan, social networks, neighborhoods in which they lived, ethnic and cultural practices in their lives, and race relations. Therefore, this paper focuses on the sense and definitions of ethnic and pan-Asian communities for Michigan residents who grew up or settled in Michigan from the 1940s throughout the 1990s. Since the interviews were conducted, several ethnic communities have built new community centers in southeast Michigan to provide spaces for meetings, classes, and special events; for example, the Philippine American Community Center of Michigan (PACCM), located in Southfield, was inaugurated September 2001 after more than two decades of planning and fundraising while the Association of Chinese Americans (ACA) opened a Chinese Community Center in Madison Heights in 2005. The Boggs Center's Detroit Asian Youth Project raises social consciousness among Asian American youth in Detroit. Asian Village, a multi-million dollar riverfront shopping and dining center conceptualized and designed by Korean American Detroiters Dominic Pangbom, was scheduled to open January 2007. There is a continued emphasis on organizations and social networks rather than traditional models of ethnic enclaves to create and sustain Asian American communities as the interviews revealed.

DEFINING COMMUNITY

Robert Nisbet (1966) defines community as one that “encompasses all forms of relationship which are characterized by a high degree of personal intimacy, emotional depth, moral commitment, social cohesion, and continuity in time.” It is this concept of personal intimacy, as opposed to merely fulfilling social roles, which sets the community apart from society. Drawing upon Fredrik Barth (1967)’s theory of ethnic boundaries, A. P. Cohen (1985) emphasizes the construction of community as symbolic boundaries of similarities and differences created by the ingroup members to separate themselves from outside members. Noting the unstable and imprecise nature of these symbolic boundaries, Cohen urges social scientists to understand how members observe and define these “subjective” but “not contentless” attachments to their community. Using Cohen’s definition of a symbolic community, I examine the contents and boundaries of Asian American communities as constructed by the respondents.

Although stores providing Chinese goods and services were in business as early as 1918 catering to the early Chinese settlers who worked as houseboys, servants, cooks, and operated laundries and restaurants in the area, Detroit’s Chinatown, located around Third and Michigan Avenues, thrived between 1940s and 1960s (Anderson and Smith, 1983). During the urban renewal in the 1960s, Chinatown was razed in order to construct expressways and parking lots – and was moved to the intersection of Cass and Peterboro.^{iv} The historic Chinatown remains but ethnic establishments and services are scattered throughout the suburbs as well as across the national border in the city of Windsor, Ontario, Canada. What do Asian American communities look like when not anchored by spatialized enclaves? First-generation Korean American Hyun Jung Yoon who has lived in Michigan since the late 1970s described the Korean American community in Michigan as:

...something like the Korean Society, when people in this area all get together... meeting Koreans, or observing [Korean] Independence Day –we don’t have an area such as Chinatown, but something like the Korean American Service Committee, or the Korean Society sponsoring a senior citizens banquet – just Koreans getting together and we can do something – so I think that formulates the Korean American community.^v

Thirty-six of the forty informants (90%) agreed with Yoon, commenting that an Asian American and/or an Asian ethnic community exists in Michigan; community, however, came in different forms and locations. Most first-generation respondents and those who were college students at the time of the interview (predominantly second-generation) socialized exclusively through their ethnic ties and communities but interacted with other Asian Americans within political and economic contexts. Second-generation respondents, most of whom grew up as one of the few Asians in

predominantly white or black neighborhoods, defined ethnic communities through their parents' associations, networks, and involvements in their youth and constructed their own ethnic and panethnic communities largely through schools and faith-based institutions. Significantly, all eight who said that a *pan-Asian* community (rather than separate ethnic ones) existed in Michigan, cited their college campus (one with a "critical mass" of Asian American students) as the site of this Asian American community. As Kibria (2002) demonstrated in her study on second-generation Korean and Chinese Americans, the college setting provided an "official ideology of pan-Asianism": the Asian American panethnic identity constructed upon the premise of shared racial and political interests (Espiritu, 1992). The student body population, associations, Ethnic Studies, and student services (such as a multiethnic student resource center) emphasized a shared political identity. I begin the discussion of Asian American community as one constructed through associations and organizations.

ASSOCIATIONS AND ORGANIZATIONS

Ethnicity-based associations and organizations – often further subdivided by political, class, civic, social, cultural, business, professional, linguistic groups and interests – moved from location to location over the years, often following the homes of current leaders and members. Overall responses indicated that Michigan Asian Americans have been involved in a range of social, professional, and civic community organizations despite – or because of – their scattered residential patterns. For Janice Okada, the Detroit chapter of the Japanese American Citizens League (JACL) served as the Japanese American community in the 1950s and 1960s. She had never met a Japanese American outside her own family until her parents took her to the JACL event, in which "the *Nisei* [second generation] families here had organized a youth group for all of the *Sansai* [third generation]." Jae Hong Park, a Michigan resident since the 1960s when he came to attend graduate school, helped found a Korean social organization, church, and language school and observed, "We don't have a Chinatown or an assembled Koreatown like Los Angeles or New York, but... Since we have first generation immigrants, we share a similar mission as a group of people."^{vi} According to Park, that shared mission is to support other coethnics in their businesses and civil rights, and provide the means for the second generation to learn their homeland culture and language.

Members and leaders created communities through events and activities through ethnic associations (e.g., Association of Chinese Americans, Korean Society of Greater Metropolitan Detroit, Indian Cultural Society, Lao-Hmong Community, Inc.). However, participants reported closer affinity and more frequent interactions with associations and organizations formed by ethnicity *and* additional similarities – in particular professional/occupational backgrounds and specific regional, language, and/or religious ties to their homeland for the first-generation respondents – (e.g., Detroit Chinese Business Association, Philippine Medical Association in Michigan, Philippine Nurses Association, Korean American Professionals in the Automotive Industry), a result of increasing ethnic, socioeconomic, and generational heterogeneity of Asian Americans due to

immigration and migration trends. Second-generation Chinese American Robin Yu said that referring to *a* Chinese community in the area was an inaccurate description, and that the “second-generation”, “mostly recent immigrants from the People’s Republic”, and “Taiwanese immigrants” created “multiple communities, and multiple organizations. So for the Chinese American community, it’s really disparate groups.”^{vii} Luis Delgado, who belonged to the Filipino umbrella organization in Michigan of approximately 48 organizations, described the Filipino American community in Michigan and throughout the U.S. as “fragmented,” saying, “We don’t have Chinatown and all that. So we’re scattered.”^{viii}

Respondents who lived in Detroit in the 1970s mentioned their or their parents’ involvement with coethnics, other Asians, and the dominant society through the International Institute located in downtown Detroit. The Institute was also a major sponsor of Detroit ethnic festivals that were held in the 1970s and the 1980s; Okada, Maria Cruz, Robin Yu, and Victor Yee all recalled volunteering at or attending Far Eastern Festivals, organized by Asian Indian, Chinese, Filipino, Japanese, Korean and Pakistani community members.

Only one pan-Asian organization that is not college or university-affiliated was frequently mentioned as one that mobilized a panethnic Asian American community: American Citizens for Justice (now Asian American Center for Justice/Asian Citizens for Justice), formed in response to the 1982 murder of Vincent Chin (Espiritu, 1992; Zia, 2000). Many respondents had attended, or had been invited to annual ACJ fundraiser dinners due to their membership in ethnic associations and organizations; four were past or present ACJ board members. All college students and recent graduates mentioned ACJ, saying that they had heard about Chin’s death growing up or in Asian American Studies courses, events, and/or discussions. Despite the ongoing work of ACJ, Korean American Yumi Shin was concerned about declining community activism and support for political/civic organizations to address civil rights issues and educate the public and private sectors about Asian American cultures and histories in Michigan. Although ACJ still actively monitors civil rights violations and other hate crimes that target Asian Americans, respondents primarily identified it with the role it played in the Chin case and most were not active members of ACJ at the time of the interview.

In 2005, individuals and organizations formed the Asian Pacific American Caucus of One Michigan United, a statewide coalition to defeat Proposal 2, or the Michigan Civil Rights Initiative (MCRI), that sought to end state affirmative action programs; Proposal 2 passed with 58 percent of the votes in November 2006.

FAITH-BASED ETHNIC COMMUNITIES

For 18 out of 40 respondents, faith-based communities provided spaces, physical and social, to meet and interact with primarily coethnics. This was especially prominent among the Korean American respondents; all but one attended a Korean Protestant church and cited faith-based organizations (churches, council of churches, and campus ministries) as basis for their ethnic

community and solidarity, a phenomenon well-documented in Korean American communities across the U.S. (Hurh and Kim, 1990). They served as elders, deacons, and other lay leaders at their church, or were active members of their church and/or religious organizations, especially on college campuses.

One example that illustrated the importance of Korean churches was the observation of Korean Independence Day (August 15) that commemorates the end of Japanese colonization in 1945. First-generation immigrants (those who have been in the U.S. for decades to recent immigrants), international students, and non-Korean spouses of Korean Americans comprise the sociocultural organizations. Each year, they separately sponsor Independence Day picnics featuring speeches, Korean cultural performances, and Korean food. In 1999, the featured event at both picnics, however, was the sports tournament in which teams representing local churches competed for trophies. The conflation of ethnic social ethnic organizations and churches in the annual observation of the Korean Independence Day illustrates the overlapping boundaries of culture, nation, and religion, and how the predominantly Protestant Korean American population in southeastern Michigan induces ethnic identities. Multiple generations of Korean Americans and Koreans (primarily international students), organized by churches, gathered to observe a political national holiday (end of Japanese colonized rule) through a program of traditional Korean music, Korean food, and competitive sports.

Korean respondents also referred to the Michigan Council of Korean Churches (MCKC) as an example of ethnic community in Michigan. MCKC sponsors an annual weeklong summer youth retreat where college students – usually former youth retreat participants themselves – serve as counselors. College students and recent graduates cited campus Christian organizations such as Korea Campus Crusade for Christ (KCCC).

Non-Korean respondents also emphasized the role of faith-based institutions in their ethnic communities. Second-generation Kim Hoang observed the importance of the Catholic church among Vietnamese Americans in Lansing. Amit Jain, an Indian American college student, said he grew up as a part of two “strong communities” connected to his family’s regional origin and religious background, as “there’s always some sort of functions on the weekends, or always some sort of activities going on.”^{xix} Vivek Mehta grew up attending a local Hindu temple with his family and planned to take Hindi classes there.

Churches and temples, and other faith-based communities emerged as creators and maintainers of community, culture, and identity for almost half of the respondents as they observed ethnic/national holidays, organized cultural activities, offered language, religious, and cultural classes, and provided a physical space and social networks for first-generation Asians and their children to interact with co-ethnics on a regular basis.

THE UNIVERSITY AS AN ASIAN AMERICAN COMMUNITY

Twelve respondents indicated that they or their family members (parent or spouse) graduated from a Michigan college or university and found jobs within the state. But it was especially the new

second-generation respondents – children of the international-students-turned-Michigan-residents – who found their sense of community on the university campus such as the University of Michigan – Ann Arbor. Asian Americans comprised 7.7 percent of city population of Ann Arbor in 1990, compared to the statewide 1.1 percent according to the 1990 Census. In 2000, Asian Pacific Americans comprised 13 percent of Ann Arbor's population and the largest group of students of color at the University of Michigan (Lai and Arguelles, 2003).

First, they cited student organizations and social networks as creating a sense of community. Monica Shah served as an officer in both Indian and pan-Asian organizations. She observed, “there’s a huge, overall Asian one that’s really well knit, and everyone knows everyone. . . .” although she felt more “comfortable” with her Indian American peers.^x Like Shah, Kathy Kim derived a stronger sense of affinity from coethnics: “Everyone kind of knows each other in this Korean circle; I don’t know how. You see them on the street, and maybe you don’t know them [well], but you know their name... Even though there are different Korean groups, I feel like we’re a part of one big community.”^{xi} For Shah and Kim, their closest friends and campus activities revolved around coethnic and religious organizations and social networks. Their pre-college involvement and ease with high school organizations, faith communities, and coethnic/Asian American peers resulted in an easier transition into participation in ethnic and panethnic organizations.

Respondents who grew up in predominantly white or black towns or cities described a less smooth transition into and identification with these communities. Chi Lee, a Hmong American junior, experienced “culture shock” when she arrived: “I’d never seen so many Asian people in my life – or white people.”^{xii} Allen Chuang, who grew up in a predominantly white town in mid-Michigan, did not make Asian American friends until someone invited him to an Asian American organization his junior year. Lee and Chuang eventually joined or formed student organizations with Asian Americans sharing similar interests; Lee joined a Hmong American and an Asian American women’s literary group while Chuang joined a Taiwanese American and a panethnic Asian American organizations.

Students also “became” Asian American through curriculum of Asian/Pacific American Studies inspired by student movements of the 1960s (Kibria, 2002). For Tae Young Han, the interconnection of intellectual texts and the primarily working-class, community-identified Asian American movements in the 1960s produced an Asian American consciousness that transcended the predominantly middle-class, professional Korean American families that he had grown up with in Michigan suburbs.^{xiii}

The university campus with its the web of student population, organizations, institutional arrangements (for example, offices and staff members who work with students of color and in areas of multiethnic diversity), and Asian American Studies programs, was one of the first places where second-generation Asian American respondents encountered the option to regularly, and even exclusively, interact with a coethnic or panethnic population on any basis. The numbers – Asian Americans were the largest group of students of color at the University of Michigan – resulted in racially and ethnically visible presence discernible to those who identified themselves as a part of

these communities and to those who criticized students (not just Asian Americans) for being too “cliquey” with people of their own racial/ethnic background.

Respondents tended to extol the racial, ethnic and international diversity of Ann Arbor and the University of Michigan – Ann Arbor, in comparison to the rest of the state and its institutions. Seema Shetty, for example, gave up a full scholarship at another state university to transfer to the University of Michigan where she heard “the term ‘Asian American’ for the first time. I guess that was the first time I developed this vocabulary, that I could have a different ethnicity and a different culture and still be considered American. . . .”^{xiv} Respondents of all generations pointed to Ann Arbor as a comfortable place to live, due to its “exceptional” mix of international and racial/ethnic populations; Ann Arbor residents and visitors alike also described Ann Arbor as distinctive due to the concentration of highly educated persons and professionals who moved to study, and/or work at the University and the surrounding industries.^{xv}

SOCIAL NETWORKS

The fourth example of communities without “ethnic space” was created through social networks of family and friends. In the 1950s, Philippines native Maria Cruz stopped to visit a friend in Michigan before she began graduate school. By the time she left Michigan, she had met and married her late husband, an “old-timer” or a “first canoe” Filipino, the first group of Filipinos to come to Michigan in the 1920s with the expansion of the Detroit automobile industry. She remembered that the “. . . the first Filipinos to Michigan, they were very close-knit. During summer times, we used to have a picnic in Belle Isle [an urban park located on an island in the Detroit River]. . . .” As the post-1965 “second canoe” immigrants arrived, largely from professional and/or student backgrounds that reflected the reformed preferences of the U.S. immigration policies, the differences in their immigration histories and socioeconomic status created two distinctive communities of the predominantly working-class “first canoe” and the predominantly professional “second canoe” (Anderson and Smith, 1983).^{xvi}

Returning to Nisbet’s definition of community as one of “personal intimacy, emotional depth, moral commitment, social cohesion, and continuity in time”, respondents referred to the primary circle of family and friends as their source of community, one marked and maintained separately from secondary circles of persons (often referred to as “Americans”) outside their ethnic group. This is not to say that all the respondents interacted exclusively with coethnics or other Asians only. But if they did, social networks primarily operated on an ethnic, rather than on a pan-Asian level.

The Hmong American respondents, for example, experienced a social networks-based community that intersected with more formal associations and institutions in and beyond southeast Michigan. The Hmong culture is notable for its organization along clans, designated by names and villages/locations of origin and led by the eldest male who serves as the political and cultural representative. Although the Hmong community in the greater Detroit area has a church and a

community center, respondents relied upon family and clan members for mutual assistance, observation of traditional and cultural holidays and occasions, and recreation and socialization. Pat Xiong, a teacher, saw his friends and relatives almost everyday; Chi Lee grew up riding bikes, eating dinners, and having sleepovers with her cousins and attending family/clan gatherings on weekends for dinners and special occasions. Alex Yang explained how clan leaders consult each other for Hmong New Year that marks traditional harvest in Laos to orchestrate the coordination of each clan's festivities. They attended local, regional and national Hmong New Year events and soccer tournaments.

John Lee, Chi's older brother, described having both Hmong and non-Hmong friends as "having the best of both worlds" but he preferred the "sense of family" and mutual support, or communalism that the Hmong family and friends embodied and that "American people" seemed to lack: "The benefits in the Hmong community is – you've got this sense of family that the American people don't have. I've got a sense of family that I know if I call on these people, they'll be there for me."^{xvii} Through family, extended kin, and friendship ties, these respondents forged a sense of community through the observations of holidays, special occasions (such as births, deaths, and marriages), everyday family gatherings, and sports tournaments/picnics.

PRACTICING ETHNIC AND PANETHNIC COMMUNITIES

Without a geographically bounded ethnic enclave but with access to growing number of commercial and service ethnic establishments throughout the suburbs, a majority of respondents nevertheless constructed and experienced community through associations and organizations, faith-based communities, college campus, and informal social networks. First-generation Asian American respondents were more likely to socialize exclusively through their ethnic ties and communities although they did support panethnic organizations that stressed political and economic purposes. Second-generation (including 1.5 generation) Asian Americans first met co-ethnics through their parents' associations and organizations and created their own peer-oriented ethnic and panethnic communities as they grew older; they were more likely to interact with other Asian Americans at schools and at the university with a "critical mass" of Asian American students and whose institutions and curriculum explicitly utilized "Asian American" as a basis of common political ties and shared racial category.

The voluntary nature of these communities means that Asian Americans often have to make an effort to maintain their ethnic and in particular panethnic ties. Race and ethnicity intersect with generation, emigration points of origin, socioeconomic status, religion, and gender to create distinctive and intersecting communities actively maintained through member and organizational efforts. While it contradicts the image that there are no active Asian American communities in Michigan, communities as experienced by the respondents waxed and waned as their participation shifted with other responsibilities and events. Sandy Yu, who belonged to several ethnic and

panethnic organizations, shared the following about instilling Asian American consciousness in her children:

...depending on your stage of life, and your situation, it depends on how much your community means to you... Being Chinese American, at least in the Midwest, it's porous, it's porous, depending if you're active and you get involved, you feel it. But if you're not active and you don't really care much about it, you can exist here, and hopefully not be targeted against....

Yu presents a dilemma; organizations depend on the limited population and participation to keep communities active and visible. Second-generation Korean American Tank Chun said that the small Asian American population translated to an option to become politically active about Asian American issues or "be left alone" within the dominant society. Others, such as college student Sarah Chu said,

I think Michigan as – and the Midwest – as being pretty conservative, not very progressive... On one hand I just want to leave, but at the same time I realize that that's not going to change anything, if I leave. I realize that there's not a whole lot that I can change here by myself, but... I want to. I want to try.^{xviii}

Sixteen second-generation respondents in their twenties and thirties said that regardless of whether they liked living in Michigan, they would move for jobs or educational opportunities. No second-generation respondent who came from predominantly white Michigan hometowns (such as Midland, Traverse City, and Holland) planned to return there. The remaining twenty-four first-generation and second-generation respondents who had finished their secondary education, were working or retired, and had extended family members in the state said they planned to stay in Michigan.

CONCLUSION: RACE, SPACE, AND COMMUNITY FORMATIONS

Ethnic enclaves – geographically demarcated spaces containing commercial and service establishments, institutions, and organizations – are highly visible models of Asian American communities described as "thriving", "advanced", and "authentic". But ethnic enclaves must also be supported by demographic concentration of an ethnic population. Comprising about two percent of the state population in 2000, Asian Americans maintain and practice many forms of communities in Michigan. Whether spatially bounded by college campuses, churches, and temples, or found through informal social networks and associations/ organizations, Michigan Asian American communities refute the ethnic enclave model; rather, they reflect localization as well as the growing heterogeneity of their national counterparts and address the differences through different types of institutions, organizations, associations, and networks. The multiple and malleable qualities of

Michigan Asian American communities indicate a greater need to consider region and space to understand community formations as they diverge from historical bicoastal versions of urban and suburban enclaves.

Asian and Asian Americans in Michigan demonstrate the cultural community model that Ling (2005) has extensively documented and argued in the case of St. Louis Chinese. Associations, organizations, churches, temples, and college campuses - rather than physical ethnic enclaves - act as ethnic and panethnic communities. While they are residentially and commercially dispersed, the respondents in make a conscious and active effort to connect with coethnics, and to a lesser degree, other Asian ethnic groups to shape their communities. These are the "symbolic boundaries of similarities and differences" the respondents use to create the contents of, and attachments to communities (Cohen, 1985).

Ling writes that Chinese St. Louisans have not been "passive victims of institutionalized exclusion and discrimination.... Rather, they have been active agents, and both collectively and individually have shaped their communities and histories" (21). However, she observes at the end of book "cultural communities are developing in other American cities besides St. Louis, and among other ethnic groups as well... The development of cultural communities demonstrates that minorities in America are enjoying economic integration and social advancement" (239). Certainly, when compared to the beginnings of Hop Alley - created in response to the dominant society's racial antagonism and segregation as a means of survival - the transformation of the Chinese community is rather astonishing even as it reflects the local, national, and global political changes, economic restructuring, and human migration in the postindustrial era.

The socioeconomic achievements of Asian Americans in Michigan likewise have been well documented and extolled by community members and mainstream press alike (Anderson and Smith, 1983; Glazier and Helweg, 2001). This conceals the struggles of poor and working-class Asian Americans as well as racialization of Asian Americans face despite professional backgrounds, educational levels, middle-class status, and self-identification as Michiganders. First-generation Asian Americans (some who have lived in Michigan and the U.S. longer than their "homeland") and multigenerational Michigan natives continued to utilize *and* reserve ethnic and panethnic community alliances. Out of the forty respondents, twenty-seven (67.5 percent) cited the 1982 Vincent Chin murder as one of the most significant events involving Asian Americans in the Midwest. Although the cultural community may form around shared characteristics that coethnics practice, maintain and transmit while integrating into the dominant society (especially as middle-class, professional citizens), it cannot separate itself from panethnic efforts for political mobilization.

Despite the primacy of ethnic associations, organizations, and networks, panethnic ties were not discarded or ignored. Although only eight respondents said that there was a panethnic Asian American community (rather than distinctive ethnic communities), twelve of the respondents were primarily active in panethnic organizations and issues. The leaders and members of different organizations were invited to other Asian ethnic or panethnic functions and events, which reinforced a collective sociopolitical community. Phillip Chan, a second-generation Chinese American observed, "I think that Midwesterners tend to be more panethnic not really by design but more

because of necessity. . . . My attitude was, because, we kind of have to stick together because nobody else is going to stick up for us.”^{xix}

This paper examined the concepts of region and space within studies of racial and ethnic community formations that address the growing ethnic, socioeconomic, and geographic heterogeneity of Asian America. The localization of community formations, maintenance, and transformations can suggest different models of Asian American communities. Rethinking Asian American communities broadens notions of racial and ethnic identity and community formations by recognizing and mapping how Asian American communities have, and are emerging, in spaces that challenge conceptualizations of where Asian Americans live, work, play, and claim as their own.

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Endnotes

ⁱ The U.S. Office of Management and Budget defines Lapeer, Livingston, Macomb, Oakland, St. Clair, and Wayne counties as the Detroit-Warren-Livonia Metropolitan Area (MSA), while the Southeast Michigan Council of Governments (SEMCOG) defines Southeast Michigan as comprised of Livingston, Macomb, Oakland, Washtenaw, Wayne, and St. Clair counties. I use “Southeast Michigan” to describe the geographical clustering of the participants’ hometowns; thirty-four, or 85 percent of the respondents, were from four counties –Macomb, Oakland, Washtenaw, or Wayne –in the Southeast region. According to the 2000 U.S. Census, the three state counties with the highest percentage of Asian Americans were in the southeast Michigan: Washtenaw County had the highest percentage population (6.3) followed by Oakland County (4.1), and Macomb County (2.1).

ⁱⁱ Total percentage includes one race only, mixed race, and mixed ethnicity Asian Americans.

ⁱⁱⁱ Their hometowns were, in alphabetical order: Ann Arbor, Bloomfield Hills, Canton, Dearborn, Detroit, Grosse Pointe Woods, Farmington Hills. Holland, Lansing, Northville,

Midland, Okemos, Pontiac, Rochester Hills, Royal Oak, Sterling Heights, Swartz Creek, Traverse City, Troy, and Warren.

^{iv} The Association of Chinese Americans has a downtown Drop-In/Outreach Center; Chung's, Michigan's oldest Chinese restaurant from the original Chinatown, closed its Cass Corridor location in 2000.

^v "Hyun Jung Yoon," interview by the author (Canton, MI), July 28, 1999.

^{vi} "Jae Hong Park," interview by the author (Ann Arbor, MI), June 29, 1999.

^{vii} "Robin Yu," interview by the author (Livonia, MI), July 31, 1999.

^{viii} "Luis Delgado," interview by the author (Dearborn, MI), August 10 1999.

^{ix} "Amit Jain," interview by the author (Ann Arbor, MI), July 28, 1998.

^x "Monica Shah," interview by the author (Ann Arbor, MI), July 12, 1999.

^{xi} "Kathy Kim," interview by the author (Ann Arbor, MI), July 16, 1999.

^{xii} "Chi Lee," interview by the author (Ann Arbor, MI), June 7, 1999.

^{xiii} "Tae Young Han," interview by the author (Ann Arbor, MI), July 27, 1998.

^{xiv} "Seema Shetty," interview by the author (Troy, MI), July 27, 1999.

^{xv} "Joe Miyamoto," interview by the author, (Ann Arbor, MI), August 4, 1999; "Park," interview. In September 2005, University officials investigated an incident of "ethnic intimidation" in which a white male student allegedly urinated on, and then used racial epithets toward two Asian American students. Asian American student leaders interviewed in the campus newspaper immediately after the incident said that they both had confronted racial bias and discrimination on campus and in the city. In its wake, a students, alumni, faculty, staff, and community members wrote open letters and signed petitions demanding that administrators increase dialogue about hate crimes and assess the status of Asian American students, faculty, and staff on campus; they also organized town hall forums and teach-ins. The accused student pled guilty to two counts of assault and battery for "tossing a beer off a balcony and splashing people below" in March 2006.

^{xvi} "Maria Cruz," interview by the author (Dearborn, MI), August 11, 1999. "Delgado," interview.

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^{xvii} “Chi Lee,” interview; “John Lee,” interview by the author, (Ann Arbor, MI), July 23, 1999; “Pat Xiong,” interview by the author, (Detroit, MI), July 7, 1999; “Alex Yang,” interview by the author, (Ann Arbor, MI), June 3, 1999.

^{xviii} “Chu,” interview.

^{xix} “Phillip Chan,” interview by the author (Ann Arbor, MI), July 29, 1998.

**Affirmative Action in College Admissions:
A Compelling Need and a Compelling Warning**

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Introduction: Higher education has been historically recognized as the very door to opportunity and success for our nation's youths and future leaders. Following the civil rights movement of the 1950s and 1960s, the cry and pressure for access to America's college campuses have intensified, especially along the lines of racial and gender discrimination. The long record of oppression has translated into an intense debate over the feasibility of affirmative action as a viable policy to rectify the past and the present. This article will afford a brief overview of the necessity of affirmative action in college admissions as well as an analysis and assessment of this policy from the perspective of Critical Race Theory.

**A Brief History – Higher Education's
Commitment to Preferential Admissions**

Higher education has been generally looked upon as a unique institution in American society. Historically, colleges and universities are perceived as vital instruments for improving and uplifting both the community and individual citizens. According to Lowe (1999) their capacity to provide paths to social progress and individual development are considered their most prized contributions (p. 17). He further maintains that

Academic culture is driven by a peculiar combination of individualism and social purpose. On the one hand, it exalts a kind of maximization of individual development and choice; on the other, it appropriately justifies its efforts in a discourse based on public mission and the common good. . . . The escalating influence of government in higher education supported the mix of individualistic maximization and the social purpose that has become characteristic of the ethos of American higher education. (p. 18)

Lowe further asserts that with the social changes brought in by the civil rights movement of the 1950s and 1960s, higher education's role as a leading agent of collective and individual reform was amplified. Thus, racial inclusion became a top priority for one of the nation's highest profile institutions (p. 19). As a result, the social purpose of higher education inevitably converged with the intent and goal of the newly-surfaced policy of affirmative action. Because of their influence upon the minds and leaders of the future,

colleges and universities looked upon themselves as the anticipated channel of access for minorities to help shape their newfound destiny in American society (p. 177).

This call to shape such a destiny was delivered by President Lyndon Johnson's historic speech in June of 1965 at Howard University – recognized by many as the initiation of affirmative action in higher education. Johnson called for more aggressive steps beyond the strategies of nondiscrimination already in place at that time. Modeling after the new requirements of Executive Order 11246 which mandated that federal contractors provide specific plans for diversifying their workforce, university and college administrators began to focus on reconfigured admission procedures to admit qualified, black students despite their lower test scores and grades (Bok and Bowen, 1998, pp. 5-7).

According to Eastland (1996), this move by higher education to incorporate racial preference into college admissions was by no means a response to a federal mandate or order. It was clearly an initiative conceived and developed within higher education's own jurisdiction and powers of authority (pp. 58 & 159). The adoption of this policy for minority admissions, as confirmed by Garcia (1997), would come to play a major role in enabling affirmative action to leave an "indelible imprint on the university environment" throughout the nation (p. 1).

Justification for this new approach to college admissions was centered on three concepts: (a) the need to provide for a more diverse student body that would enrich the academic community multi-culturally; (b) the need to open the door to students of color for future careers as professionals in the public and private sectors; and, (c) the need to afford some form of retribution for past injustices from racial discrimination (Garcia, 1997, p. 7).

As a result, colleges and universities became the centerpiece for debate in light of their policies of preferential admission based on race and ethnicity. Despite the progress cited in the above paragraph, critics are adamant in pointing out their moral suspicions surrounding the process of affirmative action. The contention has focused on two key themes: (a) how to pursue equity without sacrificing an expected level of excellence and (b) how to balance the demand for quality and diversity (Lowe, 1999, pp. 18-22). Because moral claims and value judgments play such a major role at the heart of both of these issues,

Colleges and universities have become a crucible in which these continuing dilemmas and aspirations vie with one another as the institutions proceed to incorporate a historically unprecedented measure of human diversity. . . . Institutions of higher education are people-intensive organizations. The continuing viability of the enterprise of higher education and the status of affirmative action efforts within it will depend on what people believe, and on whether those whose cooperation cannot be mandated support the view that the kind of inclusion affirmative action encourages is good for everyone. Higher education has advanced considerably the mission of providing access; this progress notwithstanding, it has also become a crucible in which the unresolved dilemmas of a complicated racial history continue to

be tested. Those charged to administer – to care for and manage – our colleges and universities do indeed live out this vocation in the heat of conflicting aspirations. (p. 24)

In conclusion, Garcia (1997) defends the use of racial preference in college admissions as a means of enabling institutions of higher education to both embrace academic excellence and promote diversity (p. 6). Higher education and affirmative action, as a result, complement each other to promote the nation's need for justice and equity for all citizens:

Our colleges and universities are at the heart of the social conscience of this nation – places where artificial barriers of race, religion, class, sex, sexual orientation, and language can be transcended and where we can inspire and develop leaders who will marshal a just society. Affirmative action provides the vehicle to create campuses which transcend past and present injustices. Clearly, those involved in higher education must do a better job of educating both the public and policymakers about the importance of an inclusive society, not only for the benefit of people of color, but for us all. Common sense tells us and research confirms that the economic and competitive edge of the nation depends on the availability of educational opportunities and gainful employment for every American. (p. 3)

The Compelling Need for Racial Preference in College Admissions

The first and foremost justification for affirmative action within the college admissions process is this increased access to opportunity for students of color aforementioned by Garcia. As a universal benefit to society as a whole, Feinberg (1998) concurs that a major justification for affirmative action in higher education is its potential to qualify women and people of color for managerial and professional occupations. He asserts that the direct correlation between access to higher education and white-collar jobs points to the social value of such a policy in college admissions (p. 10).

As noted by Meier, Stewart, Jr., and England (1989), numerous observations and studies have confirmed this correlation since the inception of affirmative action in college admissions. Different levels of education “by themselves explain 40 percent of the wage difference between blacks and whites” – to such an extent that “the increase impact of education on black earnings [clearly] results from substantial improvements in the quality of black education;...the result is a strong relationship, with education accounting for 53 percent of the variation in income” (p. 10). Such a strong correlation between income and education cannot be ignored or reasoned away so lightly. Equal access to education afforded through preferential admissions shows forth a compelling and undeniable need when considered in this context:

If blacks are denied equal access to education, then discrimination in the job market is much easier, because blacks will lack the educational qualifications for many jobs. In such cases, an employer need not discriminate overtly; institutional use of job qualifications is sufficient to eliminate most blacks from consideration. Equalizing access to quality education means that discrimination in employment and other areas must be overt, and overt methods of discrimination are easier to document and combat. (p. 11)

The second justification, as cited by Garcia (1997), points to the policy's remedial and societal benefit: affirmative action in college admissions makes a clear statement against the discrimination policies of the past. In other words, according to Garcia, without affirmative action the practice of exclusion by race could resurface, much to the disadvantage of everyone, including minorities and women. In his estimation, the injustices of the past must be proactively addressed today on college campuses in order to sustain the remedial cycle (p. 125).

Chang, Witt, Jones, and Hakuta (2003) underscore this conclusion by citing the enduring success of the 1965 Higher Education Act that financially assisted universities and colleges in fortifying the increase of minority and poor students' participation in higher education over the past four decades. Stepping back from such proactive measures would result in a tragic discounting of society's obligation to overturn the injustices of the past – with an end result that would “dramatically alter the overall level of participation of African American and Latino students” (p. 48). Laser (1999) contends that efforts to correct past wrongs stand as an obligation of any democratic nation that claims to uphold civil liberties according to the principles of justice and equality. The past record of racial discrimination in American history alone warrants some form of intervention – by either the federal government, private employers, or school administrators. Left alone, inequality will persist, as the nation's troublesome history has already proven (p. 138).

Although according to Bok and Bowen (1998) only 20 – 30% of all universities across the country used race in admissions by the late 1990s (p. 15), the positive impact of reversing the past trends of discrimination were evident in the numbers alone. In 1955, for instance, African Americans constituted only 4.9% of college students between the ages of 18 and 24; yet by 1990, that percentage rose to 11.3% – more than doubling the black student population (Feinberg, 1998, p. 10). From 1960 to 1995, the percentage of black graduates between the ages of 25 and 29 almost tripled in number, rising from 5.4% to 15.4% (Bok and Bowen, 1998, p. 9). Again, the case for affirmative action in college admissions bears compelling evidence in its defense.

The third justification points to the pressing need to address the present-day forces of institutional racism. Chang, Witt, Jones, and Hakuta (2003) contend that our nation's lengthy history of discrimination based on skin color has allowed racism to be entrenched and embedded into the very fibers of society's most basic institutions:

The centuries of racism in this country have left a powerful legacy that permeates all levels of American life and that cannot, and should not, be ignored. Social science evidence belies the idealistic perception of the post-Civil Rights era that Americans are able to judge people solely on the basis of character. More likely, we live our whole lives operating within the societal constraints of our gender, class, and race. To accurately assess the efficacy of affirmative action, we must understand the true effects of racism on all sectors of society. (p. 17)

These “societal constraints” constitute a wall of disadvantage upheld by faceless, institutional racism that routinely confronts and baricades people of color, especially in the area of access to higher education and economic opportunity.

The disparity among white and black job applicants, often determined by educational opportunities among other things, serves as a glaring example of the institutional bias of today. The findings in a recent study conclude that whites obtain interviews at a 22% higher rate than blacks and are offered jobs at the interview stage at a 415% higher rate. Upon being offered the job, whites have a 17% chance of being offered a higher salary (for the same position) and are granted access to additional job vacancies at a 48% rate higher than their black counterparts (Chang, Witt, Jones, and Hakuta, 2003, p. 103). In light of such findings, some form of racial consideration in the college admissions process deems imperative as an initial response to combat racism at this institutional level:

When institutional practices or policies systematically create disadvantage for racial minority groups and their members, it doesn't really matter what any specific person's *intentions* were. From this perspective, remedying institutional racism does not involve changing individuals' racist intentions as much as it involves restructuring institutional practices in order to increase equality of opportunity. (p. 102)

Increasing “equality of opportunity” is the primary motivator behind proponents of affirmative action in college of admissions – without it, the numbers consistent with the racial bias and job applicant study mentioned above will persist unabated.

The fourth and final justification of preferential treatment in college admissions is its capacity to address the need for diversity on college campuses. Cohen (1998) maintains that such a policy provides undisputed benefits for the learning communities within higher education. Racial and ethnic diversity can no longer be marginalized as factors of liability and potential campus unrest. Through exchange with other perspectives from other cultures and racial backgrounds, there is an enrichment and increase in the knowledge base of the academic community uniquely afforded through diversity (pp. 280-284). His research verifies that by opening the door to a greater degree of diversity among the student body, the result is an enhancement of the overall quality of academic performance and competition for

all involved (pp. 270-272). Based on a recent national survey, this is the exact same sentiment among the majority of faculty as well (Chang, Witt, Jones, and Hakuta, 2003, pp. 142-145).

TuSmith and Reddy (2002) confirm this position by concluding that ample diversity on a college campus is imperative, in that, for “many young people in the U.S., college is the first place they encounter people of different racial groups ... [considering too that] it may also be the first time they seriously question the beliefs that their parents have taught them” (p. 127). Constituting a key instrument and vehicle to “challenge structural racism ... perhaps the best venue for this re-education is the college classroom” (p.138).

In conclusion, the compelling need for affirmative action in college admissions is fourfold: 1) it opens the door to financial opportunity for people of color; 2) it addresses the past wrongs of racial discrimination; 3) it takes a proactive stance against institutionalized racism; and 4) it enhances the campus diversity and thereby enriches the learning communities within higher education.

Affirmative Action in College Admissions: The Compelling Warning From Critical Race Theory

The basic tenets and principles of critical race theory (CRT) provide a theoretical model and framework to examine and analyze the viability of affirmative action in college admissions. While the need for such a policy is indeed compelling, it seems beneficial to implement and overlay a tool for analysis and scrutiny. This theory, which initially surfaced in the mid-1970s, attempts to address the subtler forms of racism that had come to gradually overtake the gains of the 1950s and 1960s civil rights movement. Using the context of race, racism, and power, CRT diagnoses the dynamics of today’s race relations from six different angles, later to be explained (Delgado, 1995, pp. xiii-xv).

For the sake of background, CRT places the historical unfolding of race relations in the United States in the sociological context of privilege, power, and systematized inequality. No clearer picture of this can be seen as in the history of the African American pursuit of dignity, equity, and self-determination where the two dehumanizing institutions of slavery and segregation became deeply embedded and entrenched into the fibers of our nation. Both institutions required a social revolution and widespread bloodshed to undo their outward practice and free license of black subordination (Delgado, 1995, pp.75-82).

Yet for African Americans, the quest and struggle for equality is far from over. The gains of the civil rights movement of the 1950s and 1960s have not only ebbed (and in some areas been reversed) but has also served as a superficial panacea and false sense of arrival in the minds of many white Americans, especially white liberals. As a result, a gnawing discrepancy, somewhat submerged and oftentimes disregarded, exists between whites and blacks when it comes to assessing the progress and status of racial equality in the United States. No greater evidence of this is the ongoing contention and hostility over the issue of affirmative action in college admissions. Why is it that most people of color believe that our

society contains much more racism than white Americans do? What accounts for this difference? This is where CRT's analytical model comes into function (Delgado and Stefancic, 2001, pp. 2-11).

Critical race theory (CRT) sprang up in the mid-1970s in response to the slowing and even backward trend of racial equity which soon followed the historical progresses of the 1950s and 1960s civil rights movement. By the late 1980s, following a coming to mind of various scholars, activists, lawyers, and writers, CRT was crystallized and established as a theoretical response to assess and analyze the issue of race in America from a new perspective, outside of the previous and inadequate conventional approach. Drawing from the insights of two previous movements, critical legal studies and radical feminism, CRT attempts to diagnose the racial dilemma in our society through the lenses of six basic tenets:

- 1) that racism is not sporadic but an ordinary, everyday matter in America;
 - 2) that the majority of past remedies by whites have been elite interest-centered in nature;
 - 3) that race is a social construct, a social fabrication called upon as "needed;"
 - 4) that the dominant society utilizes and manipulates the impressions of various races to serve its purposes at the present;
 - 5) that each race has its own origins and constantly evolving histories, resulting in overlapping and conflicting identities and loyalties; and,
 - 6) that only people of color, due to their firsthand experience, can narrate and bring their white counterparts into the perspective of the "minority."
- (Delgado and Stefancic, 2001, pp. 3-4 & 6-9)

The first warning or precaution from the angle of CRT is that race-conscious policies in college admissions fail to expose and break down the fabrication of race as a social construct. As a result, such measures only serve to reinforce the "terms and conditions" of race as basic, determining factor of access to education and opportunity. CRT would propose that the heart of the issue is the need for a systemic change and that perhaps affirmative action in college admissions is simply a "band-aid" or "temporary fix." Conceding that there are some gains through such policies as pointed out in the previous section, overall, it appears that we are probably witnessing a repeat of the cycle of gains and losses that characterized the initial phases of the 1950s and 1960s civil rights movement – the very same dynamics that brought on the need for CRT's inception.

A second warning in light of CRT pertains to what Delgado (1995) describes as the "rhetoric of innocence." This notion stems from the first basic tenet of CRT, namely, that racism is not sporadic in American society but is all-pervading and universal. The "rhetoric of innocence" based on the pleas of the "innocent white victim" springs forth from the "unconscious racism in each of us" (p. 551). Because we are unaware or unconscious of the racial bias within, the debate over affirmative action only acerbates the tension, division, and contention between the races:

The lesson of unconscious racism, however, is that the obvious advantages of state sponsored racism, the effects of which still are being reaped by whites today, are not the only basis for skewing the societal balance sheet. Even after the abolition of state racism, the cultural teachings persist. The presence and power of unconscious racism is apparent in job interviews, in social encounters, in courtrooms and conference rooms ... In our culture whites are necessarily advantaged, because blacks are presumed at the unconscious level by most as lazy, dumb, and criminally prone. Because the white person is advantaged by assumptions that consequently hurt blacks, the rhetorical appeal of the unfairness to the 'innocent white victim' in the affirmative action contest is undermined.”
(p. 558)

A third precaution is derived from CRT's third tenet which delineates the serving of white-interests as the motivating element behind changes or reforms such as affirmative action in college admissions. In this sense, Delgado (1995) equates affirmative action as a “majoritarian device” to “promote their purposes, not ours” (pp. 356-357). Affirmative action re-frames the question of minority representation from the perspective and interests of the disadvantaged and historically-oppressed to that of the advantaged and apparently-forgotten oppressor:

The system thus bases inclusion of people of color on principles of social utility, not reparations or *rights*. When those in power decide the goal has been accomplished, or is incapable of being reached, what logically happens? Naturally, the program stops. At best, then, affirmative action serves as a homeostatic device, assuring that only a small number of women and people of color are hired or promoted. Not too many, for that would be terrifying, nor too few, for that would be destabilizing. Just the right number ... (pp. 355-356).

From this standpoint, the demands for “standards of quality” and “meritocracy” from opponents of affirmative action are mere devices of distraction or “smoke-screens,” clouding over the real situation of serving and reinforcing the self-interests of those in power.

The fourth and final warning or precaution from CRT is based on its sixth tenet: the voice of color must be heard, validated, and authenticated in order for there to be genuine progress toward racial equality and equity. The problem with affirmative action in college admissions is that it poses as a gesture of concession while simultaneously snuffing out the very voice that is necessary to resolve the heart of the dilemma. As noted by Delgado and Stefancic (2001), the end result is a deeper chasm between blacks and whites. For African Americans, that troubling and nagging sense of “double consciousness” referred to by

W.E.B. DuBois only intensifies, while for white Americans the feeling of frustration and despair concludes with “What else do they want?” (pp. 38-41)

Why such divergent results or stories? Why do the two fail to reconcile? Delgado and Stefancic reply: “To the first question, critical race theory answers, ‘experience.’ (Derrick Bell would add, ‘interest convergence’ – people believe what benefits them.) To the second, it answers that empathy is in short supply” (2001, p. 41).

And without the “voice of color” the minority perspective will remain unknown and foreign to their white counterparts. In this regard, affirmative action proves to be powerless and perhaps only serves to “muddy the waters.”

Conclusion

Affirmative action in college admissions points to an immediate need for equity, yet as framed by critical race theory, it also points to our tendency as Americans for a quick and easy solution that typically ends up being compromised by superficiality – whether consciously or unconsciously. In light of the evidence before us, I believe the necessity of affirmative action in college admissions cannot be disputed at this juncture in our society; nor can it be argued that such policies, in essence, are no more than mere stop-gap measures. As stated in this closing excerpt, perhaps the final and deciding factor is “commitment” and the fact that, as a nation, if we don’t have enough of it, we won’t go that far down the road to equality and equity without it:

There is still an urgent need for more focused study of what policies and efforts are necessary to eradicate the effects of discrimination and to create truly equal opportunity. There must be broader commitment to this sort of study in order both to understand better the significance of racism’s legacy and to establish effective and sustainable remedies. We believe that higher education, in which there is a tradition of focused dialogue, debate, and research, is the ideal setting for initiating and sustaining work in this area. (Chang, Witt, Jones, and Hakuta, 2003, p.17).

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**“For a few days we would be residents in Africa”:
Jessie Redmon Fauset’s “*Dark Algiers the White*”**

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“The battle ground of the race is no longer bounded by America’s shores. To-day, It is the world.”

from “The American Negro and Foreign Opinion”, William S. Nelson
The Crisis, August 1923

American scholarship on the Harlem Renaissance has, until recently, been strongly U.S.-centric, but the work of many of the important writers of the New Negro-era has an international dimension, as writers attempted to place the African American struggle for political and civil rights and cultural authority in larger, often global, contexts. Recent scholarship has revealed that the term, “Harlem Renaissance,” used as a rubric to characterize the flowering of black culture-building and political activism in the first years of the 20th century is something of a misnomer.

While Harlem was certainly a central site of political and creative activity during the period between the wars, and carried great symbolic weight as “the Mecca of the New Negro,” it was by no means the only American site: Washington, D.C., Chicago, Illinois, and Philadelphia, Pennsylvania, also provided settings for vibrant black political and intellectual life. Moreover, although conventional scholarship has tended to emphasize the centrality of the United States and the Great Migration in the New Negro movement, London and Paris, as imperial metropolises, also drew black intellectuals and political activists from across the black diaspora. Many of the figures commonly anthologized under the rubric, “Harlem Renaissance,” were not based in New York (Georgia Douglas Johnson, Jean Toomer, Marita Bonner and others) and several, such as Claude McKay, were not even American.

Many of the major writers and artists of the Renaissance period were widely traveled in Europe and Africa. Alain Locke, for example, lived and worked in Washington, D.C., but regularly visited not only Harlem but France, Germany, and Italy. Langston Hughes wandered and worked through West Africa, France, and Italy before settling in Harlem, and Claude McKay wrote his famous novel, *Home to Harlem* while sojourning in London. The most widely taught Harlem Renaissance novel, Nella Larsen’s *Quicksand*, is informed by the years Larsen lived as a girl in Denmark, and complicates the Great Migration motif with a comparison of Harlem to Copenhagen and the novel’s close in the rural South. W.E.B. DuBois, of course, was profoundly aware that the civil rights struggle of people of color in the United States was linked to the struggles for liberation of “the darker races” around the world.

Black intellectuals who were not as well-known on the national stage— faculty of the major African American universities, schoolteachers and aspiring artists— often used their summers to travel to France, Italy, and other European countries¹ and black performing artists regularly toured the major cities of Europe during this era. While many New Negro-era artists and writers looked directly to Africa as a way of understanding and talking about African American identity, history, and culture, many of their ideas of Africa were mediated through their personal travels in Europe as well as their awareness of colonial struggles² in Latin America as well as the African continent. It might be more accurate to think of Harlem as a major nodal point through which black international discourses flowed, and to look at the work of canonical Harlem Renaissance writers as engaged in transnational conversations about the nature of black identity and culture in an arena characterized by transatlantic as well as north-south American migrations and sojourns.

Jessie Redmon Fauset was one of the most widely traveled and prolific writers of the New Negro-era. Although her four novels—*There is Confusion* (1924), *Plum Bun: A Novel without a Moral* (1929), *The Chinaberry Tree* (1931) and *Comedy: American Style* (1934)—have received much critical attention in the last twenty years, thanks to feminist scholars who challenged earlier characterizations and dismissals of Fauset as a chronicler of the trivialities of black bourgeois life, there has been little conversation about the transnational dimensions of Fauset's work. Fluent in French, an avid traveler, and widely read in both classical and contemporary literature (she served for many years as the literary editor for the NAACP's magazine, *The Crisis: A Record of the Darker Races*), Fauset was a black cosmopolitan, and her fiction, poetry, essays and reviews were often informed by her interest in black global issues. In his autobiography, *The Big Sea*, Langston Hughes notes that Fauset's parties involved "enjoying conversations in French" among "serious people who liked books and the British Museum, and perhaps had been to Florence. (Italy, not Alabama)"³. The references to Europe (particularly France), Africa, and the United States in her fiction and non-fiction writing serve to radically re-map global power from a black woman's perspective as she, like other New Negro writers, seeks to reconfigure and politically deploy the idea of "blackness" in the modern world.

An active member of W.E.B. Du Bois's American delegation to the Second Pan African Congress in 1921, whose reports on the multi-city conference appeared in several installments in *The Crisis*⁴, Fauset wrote extensively on transnational racial issues in other *Crisis* articles such as "Nationalism in Egypt" in 1920 and "The Emancipation of Brazil" in 1921. Several of her book reviews and translations also focused on anti-imperialist struggles by people of color around the world. Like other New Negro-era writers, Fauset raised and confronted questions of racial identity across national borders and cultural boundaries.

While Erica Griffin argues that Fauset explores the world outside the United States as an "invisible woman" writing from a position within the "veil" to "unit[e] black American women with European and North African women through their shared status as invisible members of patriarchal culture"⁵, I argue that Fauset's focus on Europe, Africa, and Latin

America in both her fiction and non-fiction writing is part of a broader and more complex critique of and self-conscious participation in western modernity which involves both deploying her multilayered subjectivity (a black woman, an American, a bilingual person, a writer, a tourist, a warrior in the civil rights struggle, to name but a few of the identities she constructs in her writing) and re-mapping the relationship between the United States, Europe, and the colonized world from the perspective of a woman of color. Her writing evokes, rather than avoids, the complexities and contradictions inherent in trying to both posit and exploit the idea of a common consciousness uniting people, especially women, of color.

A sense of black internationalism allowed New Negro-era writers to question and destabilize the American understanding of race that supported discrimination and oppression in all areas of American life. Fauset, like several other writers in black publications drew comparisons and contrasts between the conditions and struggles of people of color around the world as part of a rhetorical arsenal in the American civil-rights struggle. Indeed, many of the claims for black Americans' rights to citizenship, economic and educational opportunity, and cultural authority were informed by the repositioning of America's "Negro problem" on a global, not just national, stage: the Pan-African Congresses of 1919 and 1921, the experiences of African American soldiers in Europe during the Great War, and Marcus Garvey's calls for a reverse diaspora all contributed to black writers' seeing the black condition—politically as well as culturally—in a context that extended well beyond the borders of the United States. The transnational dimension of New Negro-era writing cleared new space for critiquing the apparent intractability of the American color-line and created a broad and complex diasporic understanding of the intersections of race, power, economics, and culture. However, attempts to construct and politically deploy a black identity across national, cultural, and sometimes religious lines posed both rhetorical and political challenges.

Brent Hayes Edwards, in *The Practice of Diaspora*, proposes the concept of "décalage" as a tool for understanding the impulses toward and rhetoric of black internationalism and its inevitable misreadings and mistranslations. Problematizing Léopold Senghor's assertion that the differences between "Negro Americans" and "Negro Africans" is a matter of "a simple décalage—in time and in space," Edwards asserts that the fundamental relationship among members of the black diaspora is always "haunted" by that which can't be translated or understood, and that articulations of racial unity (such as Senghor's concept of Négritude or DuBois's of Pan Africanism) are always rhetorical artifices predicated upon difference and disarticulation: "Articulation is always a strange and ambivalent gesture, because, finally, in the body it is *only* difference—the separation between bones or members—that allows movement"⁶.

This concept of décalage and its attendant rhetorical and political challenges are dramatically illustrated in Jessie Redmon Fauset's account of her visit to the French colonized city of Algiers in 1925. "Dark Algiers the White," published in *The Crisis* in April and May 1925, and illustrated by her traveling companion and fellow *Crisis* contributor, Laura Wheeler, richly presents the questions and cross-currents of "décalage" from a

perspective which self-consciously explores the inflections of national identity, race, and class on the notion of a common bond between people of African descent. Alain Locke claimed that the “growing group consciousness” of the “darker peoples of the world. . . is making the Negro international”⁷. How, this essay asks, are the similarities and differences among “the darker peoples of the world,” articulated and how may they be mobilized to battle the white world’s persecution of the non-white world? Fauset also inquires how gender inflects the experiences of people of color across national borders and cultural practices. How does a black, American, educated woman “see” and represent Algiers, and how does she use the story of her experiences of her experiences there to support *The Crisis* magazine’s cultural and political commitments? In “Dark Algiers the White,” Fauset attempts to construct, authorize, and deploy a feminist writer’s subjectivity to address these questions results in a text décalagé.

It is significant that the launching-pad for Fauset’s African excursion is Paris, a city which could lay claim to being at least as important a black cultural center as Harlem was during the period after the end of the Great War. French colonial citizens and subjects came from West Africa or the Antilles to the metropole to complete their education or provide low-skilled labor. Hundreds of thousands of American, Caribbean and African veterans fought in the Great War and then lingered. Members of the growing black American bourgeoisie, in their constant quest for education and self-improvement, came to drink at the “sacred fount” of European culture. Black American artists and writers, supported by Guggenheim and other grants as well as vagabond writers supported by their wits and willingness to work menial jobs crossed paths with jazz musicians and singers. All encountered each other in the City of Light. As Franck L. Stovall writes in, “La Renaissance Noire aux Etats-Unis,” “It is in the quartier of Pigalle and in the cafes of Montmartre and even in the cafés of Montpamasse that the first encounters between Harlemites and Dahomeans were formed” (quoted in Edwards)⁸. Their conversations and interactions took place in a city which has particular imaginative and symbolic power as the epitome of European culture: historically a self-proclaimed intellectual and artistic center, Paris was also the metropole of a powerful empire confronting modernity. Regarded since the late 19th century as the most modern of cities, for blacks from throughout the diaspora Paris represented both the promises and perils of Western modernity.

Fauset, who has often been portrayed as a Francophile whose interest in things French is merely another elitist class marker, actually wrote about France and French culture in a more nuanced and ambivalent way than she has been given credit for by contemporary critics⁹. She was well aware of the paradoxes of France’s identity as the font and preserver of Enlightenment ideals as well as an oppressive and often ruthless colonial power. In her novels, *Plum Bun*, and *There is Confusion*, France is portrayed a site of temporary but unsatisfactory refuge for African Americans, and *Comedy: American Style*’s plot cruelly punishes its heroine for her illusions that she could escape American racism and find freedom in marriage to a Frenchman and expatriation to France.

Fauset, unlike later black American writers, never considered expatriation, and was a proud and committed U.S. citizen¹⁰. It was during one of her regular visits to Paris that Fauset felt a sudden yearning to escape the “sunless” city. Intending to visit Marseille, known (and portrayed by several black writers of that era, such as Claude McKay and Langston Hughes) as the French gateway to Africa, she describes herself as feeling drawn to pass beyond the French frontier to Africa itself; Africa’s proximity to Marseille proves an irresistible lure for Fauset: “Marseille, which from Paris beckoned, proved on our arrival to be pointing the other way. For across the Mediterranean which stretched careless and blue at the foot of the Rue Cannebière loomed Africa. Perhaps that dream-land would never lie so near us again. Algiers was twenty-eight hours away . . . curtained and lighted at night by stars and constellations which we had never seen. . . .” (255).

At the time Fauset wrote “Dark Algiers the White”, the North African city had been under French colonial rule for more than a century, and Fauset was well aware that her encounter with “Africa” was mediated by French colonial power. The first installment of this illustrated personal memoir appeared between E Franklin Frazier’s account of a visit with a humiliating Jim Crow experience in a white southern eye doctor’s office¹¹ and a biographical sketch by Maud Cuney Hare about an Arabian slave poet and dramatist born thirteen centuries ago¹². The placement of the essay implicitly links the black Americans suffering under Jim Crow to the long and noble though neglected history of “African” culture. The title of Fauset’s piece alludes to the French nickname for the city, “Algiers la blanche,” which refers to the fabled tiers of white buildings around the artificial harbor (depicted in Wheeler’s pen and ink view which illustrates the first page of the article) but Fauset’s single-word addition to the moniker—placed on a separate line above the words, “Algiers the White,” draws the reader’s attention to the North African inhabitants of the city and Fauset’s own “colored” subjectivity. Although French writers have referred to North African colonized lands as “France in Africa,” Fauset’s Algiers is emphatically an African city, not a French outpost: “For a few days we would be residents of Algiers,” she writes enthusiastically, “dwellers in Africa.” She delights in the prospect of being part of “a moving picture of brown and black faces” (255).

Fauset’s opening lines also serve to re-orient the reader from a European perspective on the city. Her north-south migration from bleak Paris is confronted by a dynamic African presence predicated on a south-north movement which originates in the African interior: “All the strangeness and difference of that life which, starting far, far in the interior of Africa, yet breaks off so abruptly at the southern edge of the Mediterranean, rose instantly to meet us” (255).

Although it first appears that the narrator has imbibed the Orientalist, exotic language and images commonly used, in European texts, to describe North Africa, of mystery and impenetrability—(“Algiers the White!” she apostrophizes at one point), “gateway to the deepest mysteries of Africa and the East” (19)—Fauset is also highly conscious of how her perceptions of this culture have been shaped, if not corrupted, by Western ideology: “And on

all sides swarm white-clad patriarchal figures, superb in burnous and swathing turban. Staff in hand, they make one think according to his training of pictures in Sunday school of film-shown ‘Scenes from an Eastern Village’” (256).

A few pages later, Fauset’s indictment of the pernicious effect of Hollywood’s perception of what she sees in real life for the first time is less subtle: “Men magnificently bronzed, lean and regal, a red cloak streaming behind them, thunder by on—obviously—Arabian steeds. It is too bad that movie-dom has spoiled the integrity of this scene; our sophisticated eyes find in it a touch of artificiality” (Dark Algiers 258). Likewise, Fauset feels betrayed and disappointed when she finds that the main shopping district has “ranks of counters covered with jewels, bric-a-brac, pictures, gloves, materials such as one encounters any day in the Boulevard des Italiens or Forty-Second Street” (Dark Algiers 257).

A lot of Algiers’s charm of the foreign is, for Fauset, rooted not in absolute differences but in its melding of cultures, races and religions in one arena: “. . . the grave and regal bearing of the better type of Arab compensated for the shocking anomaly of his dress. This anomaly showed everywhere, in the jostling of the streets bearing now Arabic, now French names; in the issuing of French sounds from bearded Arab lips; there were boulevards vaulted and arcaded like the Rue de Rivoli in Paris and just off them tier on tier of wom, crumbling steps which led to the dark and tortuous ‘native’ quarters” (257). To our ears, Fauset’s phrase “the better type of Arab” is jarring, but in the context of Fauset’s idea of the keynote of Algiers consisting of irregularity, deviation, and inconsistency it is part of the text’s larger concern with destabilizing Western hierarchies of both race and gender, for finally what Fauset focuses on during her sojourn in Algiers is the lives of the Algerian women and how the relationship between her—the African American, middle-class tourist—and the “hidden” (veiled and immured) Algerian women is mediated by the French colonial presence, represented by the French women who serve as mediators between the American and Arab women. A Frenchwoman, by chance mounting a set of stairs at the same time as Fauset, points out to her the Kasbah, where “[i]f you really want to see the natives—how they live—they are there” and later a French policeman’s wife offers her husband’s (and the next day, by default, her own) services as an “escort” into “the real Algiers” where tourists should not dare go unescorted.

In the early stages of the narrative, Fauset portrays the French presence as incongruous and disruptive. She notes the statue of the Duc d’Orleans, which, amidst a teeming and vibrant cityscape “show [s] flat like cardboard against the sky” (256). As she wanders through a quarter where she wonders at the absence of Arabs, she speculates, “Perhaps the French drove them [to the hills] when they took the city a century ago” (16). A French soldier, who, encountering her walking in a neighborhood which might be dangerous to foreigners “looks at her curiously” (17) but does not break his stride. The French presence in each of these examples is remote, disconnected, and implicitly or explicitly hostile. Even her relationship with the well-meaning escort and her little girl is awkward and uneasy: the young woman, clearly of a lower-class than Fauset and her traveling companions, returns

toward the end of the narrative to seek compensation for the services she rendered to the “rich Americans” earlier. That the woman reluctantly demands money at what Fauset speculates is the behest of her law-enforcing husband reinscribes the complexities of the similarities and differences between the two women: both are at the mercy of patriarchal power in the domestic and public spheres, yet Fauset’s position as a rich American tourist challenges any simple idea of sisterly bonds.

Curiosity about the nature of the cross-cultural bonds between women is what drives much of Fauset’s experience in Algiers. She is fascinated by hidden women of Algiers. She immediately notices the absence of women in the streets: “This street and all the streets in Algiers swarm with people—children, boys, and men, men, men!” (257). Fauset is entranced by the “mysterious figures of women clothed in white and numerous garments, a white face veil covering mouth and nose, cheeks and hair, all but two dark impenetrable eyes and a triangle of creamy forehead” (Dark Algiers 256), and disturbed by “the misshapen bodies, broken and distorted by neglect, abuse and much bearing of children” that she perceives beneath the burkas and veils. One young woman on a bus particularly captures Fauset’s attention: she sits silently beside her husband “like an automaton beside her lord—there was no conversation” (Dark Algiers 256). However, when the young woman dismounts the trolley and Fauset catches a glimpse of her “dainty” ankles in pink-colored stocking and russet shoes beneath the burka, Fauset is reassured by what seems a sign of the young woman’s feminine impulse to self expression.

An idea of common femininity is also reinforced during Fauset’s visit to the Frenchwoman’s “Moorish friend,” Fatmah. Fauset marvels that the encounter with the Moorish women, following a journey through labyrinthine streets and embedded interiors, is so familiar: they talk, “after the fashion of ladies calling the world over,” of children, pets, food (18), she writes. Yet this commonality is subverted by the very scenario: the Frenchwoman has offered her “friend” as an exhibit to the American tourist, and the American tourist responds as if she is presented with a rare object for appreciation and consumption: “Her hair is dyed a dark henna is perfection with her mat skin. I stare at her with such complete absorption that her glorious eyes finally question me and I blurt out: ‘You are so beautiful, Madame; I wish my artist friend could see you’” (18). Afterwards, Fauset thanks the Frenchwoman for “a rare afternoon that such as [she] could never have procured from a guide” (Dark Algiers 18)—the rareness and authenticity of the experience is enhanced by the fact that it was not purchased from a professional, but offered by a woman who originally stepped in to warn Fauset about a sexual threat (always the threat for a woman wandering alone in a strange space). The Frenchwoman politely rejects the equivalent of a tip—Fauset’s offer of a present for her little girl—and the two women part “with the glance of people whose lives for an hour have touched deeply at their only possible tangent” (18). But when the policeman’s wife shows up the next day—following what Fauset imagines are her husband’s orders: “‘She was an American and you showed her about all afternoon and didn’t get a penny from her!’” (18) – it is clear that Fauset’s experience has been as much a

commodity as the rugs and bangles the salespeople in the bazaar has offered to her and the other tourists. The “only possible tangent” is not a felicitous chance encounter, but a meeting made possible by deep structures of nation, class, and gender. “The little idyll,” writes Fauset, “has a tarnished ending” (19). As an American in Algiers for a few days, what more could she have? What could she really see?

The question of whether an American, despite her racial identity, education, and political allegiances, could ever perceive “the real Algiers” invokes the questions and paradoxes of “déalage.” Laura Wheeler’s final black-and-white illustration for the article consists of the largest picture—it takes up more than a quarter of the page. It depicts Fauset, suitcase in hand, in a light and dark patterned dress and stylish pumps, extending an open hand to the Frenchwoman, who is clad head to toe, from the large hat which obscures almost her entire head to her voluminous coat and clunky boots, in black. The latter woman seems better dressed for sunless Paris than Algiers, as they awkwardly “once more exchange adieu (sic) (19).” Even the American’s last meal in Algiers is a disappointment: finally getting a taste of the native dish of couscous, Fauset notes sadly that “[i]t is not as new and different as bouillabaisse, the fish soup we get in Marseille” (19). On some level, Fauset seems to suggest that the Algiers of her imagination—the African frontier, the “gateway to the deepest mysteries of Africa and the East” (19), “the real Algiers,” the unmediated perception or the experience which occurs outside the relationship of tourist/consumer and native/commodity—is not accessible to her, indeed, has eluded her.

The narrator’s visit to Algiers also challenges her hopes for the commonalities of color as well as gender. A pair of East Indian shopkeepers insist upon treating Fauset and her companion as “friends,” after it is clear that they are not going to be customers, as most tourists are. The brothers welcome African American women into their private quarters with great hospitality, and treat Fauset’s party as if there were some bond between them, yet Fauset reflects with a wistful wonder: “I notice a curious phenomenon: ‘the brothers are brown, we are brown, but there is a difference in our brownness, so much that clad all of us in Western dress each would shortly be able to discriminate’ (258). This encounter simultaneously raises the prospect of a bond between non-white people but also acknowledges the difficulty of constructing alliances across culture, gender, and national boundaries, especially those that lay some claim to transcending economic (in this case, commercial) relationships.

Fauset closes the scene, and the first installment of her memoir, with a comparison of one of the brothers to Dr. Aziz, the East Indian protagonist of E.M. Forster’s 1923 novel, “A Passage to India.” This novel, written during the turbulent waning of the British Empire, asks if true friendship could exist between people of different cultures, especially if one belongs to the colonizers and the other to the colonized. The crisis of Forster’s novel occurs around a racially charged accusation of rape, and this allusion evokes the question of woman’s position in structures of empire and capital, and anticipates Fauset’s solo journey

through the dangerous “otherness” of the real Algiers in the subsequent installment of her travelogue.

Fauset uses the word “friend” often in this narrative: her traveling companions are nameless, described only as “my artist friend” and “my student friend.” The brothers insist that the two African American visitors are their “friends.” The French policeman’s wife, also nameless, is repeatedly referred to as “my little French friend,” and had delighted in being introduced to the Frenchwoman’s “Moorish friend.” Yet these friendships are by necessity fleeting, superficial, and structured by preconceived ideas of culture, race, and nation on all sides. The participants in these “friendships” can finally only perceive each other as types, not individual human beings.

Though Fauset’s narrative voice is self-assured in this text, as a black “Westerner” and a woman, the narrator’s identity and point of view are fluid and open to interpretation in Algiers. Both observing (as a tourist) and being observed (as a stranger), Fauset is aware of how her presence in Algiers opens up and confuses questions of national identity, class, privilege, and power. Though Fauset from the outset positions herself as a Westerner seeking alliances with the black and brown Algerines, the French colonizers see her as completely different from the North Africans, though what she is they are not quite sure. The misreadings and disarticulations of race and gender that Fauset’s presence as an educated, apparently wealthy African American woman provokes is dramatized when Fauset asks a local French woman if it is safe for her to walk around unaccompanied in a certain quarter. The woman responds, ““You may go anywhere, anywhere, Mademoiselle, and then besides one sees you are from Martinique (Martiniquaise) and there is no danger here for a French woman!”” (16). This comment contains many layers of irony.

At the time, Antilleans were legally French citizens, while the North and West Africans in French colonies were French subjects. This was a source of friction among Francophone blacks, even as they were attempting to formulate the political and cultural basis for the Négritude movement. And of course, Fauset herself is neither French nor Antillean, but the local woman seems to have no other category for the well-mannered black woman who spoke fluent French. The authority which Fauset, as narrator, claims for herself subverts the categories imposed upon her. Fauset’s identity is a modern identity—fractured, ambiguous, elusive. Yet any notion of common bonds of consciousness must by necessity rely upon 19th century concepts of race and identity still bearing the aroma of racial essentialism, a problem which Senghor and other proponents of Négritude encountered as they began to try to articulate its ideology and aesthetic.

What is the nature of the bond that connects what Du Bois referred to as “the darker peoples of the world?” Does the nature of the bond rest only on the common condition of those who are economically, politically, and culturally oppressed by Western European powers? What are the differences, what are the similarities, Fauset asks in “Dark Algiers the White” asks, between the modern American “race” woman and the black and brown Algerines? What are the differences, what are the similarities, among the “shrouded” Arab

women, the young white Frenchwoman who warns Fauset that it is dangerous for a “lady” to walk alone in the Arab quarter, and the African American woman who wandered, with the freedom of a tourist or a Martiniquaise, through that very same quarter the day before the warning?

All of these questions lead up to the most important one confronting Fauset as a writer: How can a black woman writer in 1925 frame her first experiences in an African country for the readers of the NAACP’s monthly magazine in a way that creates a political relationship between the readers in Harlem, Oklahoma City, and New Orleans? As “Dark Algiers the White” makes clear, it is all a matter, as Senghor says, of “décalage”—though certainly not a simple one, as he had hoped. This text exposes and explores the fissures as well as the possibilities of a transnational racial consciousness which doesn’t shirk from the ambiguities and complications of gender, class, and assumptions about national identity on the part of both beholder and beheld. “Dark Algiers the White,” with its disappointed idealism, vignettes of Fauset’s misreading as well as being misread, and deft evocation and debunking of stereotypes reminds us of the difficulties and hopes of the black internationalist project.

As we re-evaluate the Harlem Renaissance in a transnational context, we should also expand our discussion of Fauset’s work beyond her novels to her travelogues, reviews, and translations. An examination of her entire varied—in terms of both subject matter and genre—corpus of her work reveals a writer who was deeply engaged with the questions of modernity and its global and political implications.

Endnotes

¹ See Walker.

² This is clear in both New Negro era texts such as Countee Cullen’s “Heritage” as well as contemporary analyses of black art in this era, as in Leininger-Miller’s analysis of Augusta Savage’s sculptures of African women which she created while in Paris. See Leininger-Miller.

³ See Hughes.

⁴ Fauset, Jessie. “Impressions of the Second Pan-African Congress.” *The Crisis*, 12. Vol. 22, 1. November, 1921; “What Europe Thought of the Pan-African Congress.” *The Crisis*, 60. Volume 23, 2. December, 1921.

⁵ See Griffin.

⁶ See Edwards.

⁷ See Locke.

⁸ See Edwards.

⁹ See Ako, Sato, and others.

¹⁰ In an interview with Pierre Loving in the *Paris Tribune*, Fauset declared: “I like Paris because I find something here, something of integrity, which I seem to have strangely lost in my own country. It is the simplest of all to say that I like to live among people and surroundings where I am not always conscious of ‘thou shalt not.’ I am colored and wish to be known as colored, but sometimes I have felt that my growth as a writer has been hampered in my own country. And so—but only

temporarily—I have fled from it. I adore my own people and I like to be among them of them, despite the race issue in America.” See Ford.

¹¹ See Frazier.

¹¹ See Hare in *The Crisis*, p. 258. The same issue includes an account of the President of Liberia and his wife’s official visit to Sierra Leone.

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Signing and Signifyin': Negotiating Deaf and African American Identities¹

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For individuals who are both African American and Deaf finding a place to belong is a process of navigating their many cultural identities. In this paper I explore the following questions: where do individuals who are African American *and* Deaf find and make community? To which communities do they perceive they belong? Is their primary identity African American, Deaf or something else? Does belonging to one community negate membership in another? Does the presence of African American Deaf individuals have an impact on either community or are they forced to create an entirely new one for themselves?

Currently there is a growing body of literature on global Deaf communities from the formation of new sign languages in Nicaragua and Israel to the creation of cohesive Deaf communities around the world (Monaghan et al 2003; Sandler et al 2005). These recent studies shed light on how communities around the world are navigating their multiple racial/ethnic, cultural and communicative identities. However, there has been little focus on the African American Deaf community. While there has been some research conducted in regard to the sociolinguistic aspect of American Sign Language (ASL) use in the African American Deaf community (Woodward 1976; Maxwell & Smith-Todd 1986; Aramburo 1989; Lucas 1995; Lewis 1997), there has been no research conducted regarding the identity formation, cultural identification and navigation of individuals who are both African American and Deaf in the Northwest of the United States.

Definitions

Like in many marginalized communities labeling oneself is an important step in creating group solidarity. In this paper I am defining African American/Black as individuals who were born in the United States, have African ancestry, and self identify as African American or Black. I will be using the two terms interchangeably throughout this paper.

When referring to d/Deaf people there are two different ways in defining a member of the community. In writing one distinction is made with a lower case 'd' and the other is made with a capital 'D'

The lower case 'd' distinction refers to an individual's physical ability of not being able to hear. One who identifies this way usually does not use ASL as a primary mode of

¹ An earlier version of this paper was presented at the 34th Annual National Association for Ethnic Studies conference in San Francisco, CA. This paper was included in a panel titled, "Shifting Perspectives, Shifting Lives: Multiple Identities". I would like to thank Laada Bilainuk for her assistance with editing and revising the many drafts of this paper to help me get to this point. Funding for this research is from the National Science Foundation Graduate Research Program.

communication nor do they ascribe to the beliefs of the larger Deaf community. While the capital 'D' Deaf person refers to an individual who cannot hear but is one who uses ASL as a primary mode of communication and participates in the larger community of people who sign and culturally identify as Deaf (Woodward, 1972; Padden & Humphries, 1988; Senghas & Monaghan, 2002). The different variations are not only in writing, when signing the distinction is made as well. An individual who identifies as deaf is seen to have more of a hearing ideology therefore they are referred to by the sign "thinks like a hearing person" (which is conveyed with the sign for "hearing" placed on the forehead). An individual who identifies as Deaf is seen to have a culturally Deaf perspective and is referred to with the "strong deaf" or "fluent ASL" signs (Kannapell, 1989). For outsiders this may seem cumbersome or unnecessary; however, for individuals who associate with these labels they are indeed necessary and explain a great deal about a person's perspective and the community in which they belong to. Because I am referring to deafness as a cultural attribute I will be using the capital 'D' Deaf definition throughout this paper.

Community

When one thinks of community, images come to mind of individuals who have a common history, shared beliefs, and a common language. This is critical for African American and Deaf communities, which historically have both been socially marginalized and are not reflected in mainstream society. Many disciplines have been grappling with the definition of community from anthropology to sociology to psychology. The paramount questions that arise are how communities are formed, what do communities entail, and who can belong to a community. Common interests, race/ethnicity and/or beliefs can form communities; because of this each of us has the potential to belong to many different communities throughout our lifetime. There is the geographical community in which we live, the educational community of the school we attend or the religious community in which we participate. One key parameter in defining community is whether it is defined from inside; members of a community consider themselves a community regardless what others think, or from the outside; people from outside the community label it as such because of the belief that all people having the same characteristic belong to the community. Whether defined from the inside or outside-belief is key-you have to believe that certain characteristics make a community, whether your own or others'. My focus is on community being defined from the inside. Belonging to and participating in a community can also be empowering, it has the potential of being a place where we find others like ourselves who can celebrate and commiserate a common experience.

Language is one way to create cohesiveness within communities either real or imagined and in the Deaf community ASL is a way to create this cohesiveness. Barbara Kannapell asserts, "It is our language in every sense of the word. We create it, we keep it alive, and it keeps us and our traditions alive" (Kannapell, 1989: 26-27).

What is unique about the African American Deaf person is that they potentially belong to two communities where performed (oral or signed) language has been the primary tool in constructing and transmitting cultural identity information. Historically African Americans were denied the right to learn to read or write and consequently stories were told as a way of preserving the traditions and sharing the experiences of the community. The Deaf community has gone through periods of time when ASL was prohibited from being used or taught in public schools (Van Cleve & Crouch, 1989; Lane, Hoffmeister, & Bahan, 1996); also there is no written form of ASL. As a result for both Deaf people and African Americans stories were the dominant way in which to share cultural information. As linguist Charlotte Linde clearly states, storytelling “can create group membership for [the speaker] and solidarity for [a] group” (Linde, 1993: 114).

African Americans and Language

Language among African Americans is a fundamental part of who we are as a community: not only does it unite the community but it also distinguishes it from others. For African Americans, verbal language in all its forms, such as playing the dozens or “code switching” from Black English to Mainstream American English are vital in constructing who we are (Hecht, 2003). Communication is an essential aspect of culture, and a shared language is an important vehicle for the familial sharing of love and identity. Stories are told among family and friends whenever there is an occasion to gather. Thus language is a way in which racial and cultural identification is transmitted and history shared. As Hecht writes,

“The basic premise of this new theoretical stance is that identity is inherently a communication process and must be understood as a transaction in which messages and values are exchanged. These messages are symbolic linkages between and among people that, at least in part, are enactments of identity. That is, we, as communicators, would like to believe we are simply talking to others; instead, we are also exchanging codes of cultural personhood” (Hecht, 2003:230).

It is not just what we say, but how we say it that is important. As Peter Burke says, “Speaking the same language, or variety of language, as someone else is a simple and effective way of indicating solidarity” (Burke, 1993:70). He goes on to say that language is “one of the most important of the signs of collective identity” (Burke, 1993:70).

Geneva Smitherman’s (1977) asserts the importance verbal language has in the African American community. She highlights the different styles (i.e. folk sayings, songs, stories) as vehicles used to preserve African American heritage and as a way to transmit crucial cultural identity information from generation to generation. However, in all of the research there has been no intersection between verbal language use among hearing African Americans and the use of sign language among Deaf African Americans as vehicles for the transmission of cultural identity information.

Deaf Community

Research has been conducted regarding the Deaf community and the importance of recognizing ASL as a language (Stokoe, 2001; Monaghan et al 2003) and Deaf people as a cultural minority group (Padden & Humphries, 1988; Wilcox, 1989; Lane, Hoffmeister, & Bahan, 1996). ASL is recognized as the vehicle to transmit cultural information in the Deaf community. "American Sign Language has a rich literary tradition. The storyteller and the story have an important role to play in the bonding of the DEAF-WORLD and the transmission of its heritage and accumulated wisdom" (Lane, Hoffmeister, & Bahan, 1996: 153).

Seattle has a fairly active Deaf community: there are weekly cultural events from Deaf coffee houses to Deaf Blind community classes to interpreted events. Whenever I attend these events I notice that the majority of people in the audience are white. You may see a few People of Color, but overall it is not a racially/ethnically diverse gathering of people. I am curious to know why this is the case: is it a lack of knowledge of the events, are African American people and, presumably, those of other non-white groups not interested in gathering at these types of events, is it simply because there are not many African American Deaf people in Washington State² or are there other underlying reasons?

To explore these ideas and further develop appropriate questions I interviewed three women friends of mine, Robin, Sherry and Eden³. They all identify as Black and Deaf. They are in their early 20's-early 30's and have been active in the Deaf community for some time. I wanted to know their perspective on the mainstream Deaf community and if they felt a part of that community. The general questions I posed to them were how would they characterize the Deaf community and from their experiences do they feel support from it. All three told me that the Deaf community is basically a white community in which they do not feel comfortable being themselves. Robin said, "I don't feel comfortable to express myself in the Deaf community. I feel more comfortable within the African American community." When I asked her to further explain why she felt more comfortable with African American Deaf people she elaborated, "Because they know the slang⁴ I am using, and how we joke with each other. African American people are more expressive, but I have to be careful around white Deaf people." Sherry had a similar perspective: she said, "They don't allow me to be who I am, I am not going to change for you. We have different ways of joking, slang and stories and they do not know them." Eden goes on to say, "I think it kinda depends

² The African American deaf population in Washington State is estimated to be approximately 2000. I was given this estimate by the former president of the Washington State chapter of the National Black Deaf Advocates. However, this estimate includes both individuals who were born deaf or have lost their hearing due to old age.

³ All names have been changed.

⁴ Linguistically the term slang refers to using a particular word choice; however, those I spoke with were clear that how they define slang was more than the word choice it was how they executed the sign as well.

on who you are around. . . for the Deaf white person I sign more formal English style of ASL. But with Black people I can use more [informal] ASL, more expressions.” Again the notion of negotiating comes into play: these particular women felt if they wanted to interact with the mainstream Deaf community they could not be as expressive as they could be with other African American Deaf people. They felt as if they would not be accepted in the mainstream Deaf community if they communicated the way that felt most comfortable to them. In essence they felt as if they had to code switch from their African American style of signing to the mainstream style of ASL to be accepted.

Code switching can be defined as, “the use of two or more languages in one speech exchange by bi- or multilingual speakers” (Bailey, 2000:241). An individual may choose to use a more informal speaking register with members of the community to which she belongs. However, in other situations she may change her register to one that reflects the language being used by the majority of others as a way to be accepted. Code switching is not a new concept for African Americans. Research has been done regarding the shifting in language from Mainstream English to African American English Vernacular in certain situations, for certain reasons. My interviews reveal that code switching is present in the Deaf community as well. I asked my interviewees for examples of slang they would use among themselves but not necessarily in the mainstream Deaf community. One such example they shared with me was the difference between the mainstream ASL sign for GIRL and the African American Vernacular English style of GIRL. In mainstream ASL the sign is made with a closed fist with thumb extended upward, stroked downward from cheek to lower jaw. When I was shown the alternative version to GIRL it looked dramatically different. There was the same closed fist and movement down the side of the cheek, however, the body shifted to one side, the shoulders rotated and the head was slightly tilted to an angle. This sign for GIRL is used similarly to the term of solidarity in the hearing African American community, in the example of “you go girl!” I am hoping to explore further the notion of slang used in the African American Deaf community to find out if it is simply a signed version of hearing African American vernacular and follows its rules, or a completely different vernacular based on American Sign Language that follows its grammatical structure.

Another question I asked my participants was do they feel support from the Deaf community to be African American. Once again the answer I heard was a resounding, “no”. Sherry said, “You will be accepted if they [African American Deaf persons] do what the white Deaf community says. If I speak my opinion and they do not agree they will reject me. But if I agree with them they will accept me. . . I have really only stepped in the [white] Deaf community because of that, I am not totally IN the [white] Deaf community. Robin said, “I feel like they support the others in the community like gay/lesbian, Deaf/blind, Asian but not African Americans. It is as if you have to educate them about yourself.” Both of these women recognize the limitations they have in the Deaf community—even though they have language in common there was still something missing, Sherry said, “They don’t allow me

to be who I am". Eden expresses a similar sentiment, "The only thing I have in common with the Deaf community is language, that's all." Given the fact that ASL is seen by most as what unites the Deaf community I wanted Eden to elaborate: was there something more than actual language, in her mind, needed to unify the community. If she used the same language as the mainstream Deaf community, what else was needed to feel a part of the community? She said, "I'm not myself, I don't feel comfortable signing, because... I feel like they always try to control things and they think whoa Black Deaf [people] have an attitude and they mistake my signing, but that's who I am. So I try to sign more proper, I know I should be myself. Keep it real." All three of the women I interviewed spoke to the fact that simply having access to the same language was not a guarantee they would be accepted in the mainstream Deaf community.

One could hope that members of marginalized groups would not recreate the power structure and hierarchies of the mainstream community. However, in my research I have noticed that the belief system of the white Deaf community mirrors the attitudes of the dominant culture's negative bias towards African Americans. Many institutions that serve the Deaf community were segregated such as Deaf residential schools in the South and East Coast (Gannon, 1981; Hairston and Smith, 1983; Maxwell and Smith-Todd, 1986), and Deaf social clubs (Hairston & Smith, 1983; Janesick & Moores, 1992). Gallaudet University and the National Association for the Deaf did not admit African American Deaf people until the 1950's. The mainstream white Deaf community uses deafness as a unifying factor for creating a cohesive community, but some African American Deaf people have not always felt welcome and as a result some have other priorities and deafness most often is not the primary identity marker. For them race/ethnicity at times takes a paramount role in identification and galvanizing, because of the role race/ethnicity plays in the United States (Aramburo, 1989). As result of the discriminatory practices of the mainstream white Deaf community and the need for African American Deaf people to build community, the National Black Deaf Advocates (with several state chapters) was established in 1982 and is still very active today.

African Americans Embrace Deaf Community

While many Deaf African Americans do not feel embraced in the mainstream Deaf community these individuals may not feel any more comfortable in the hearing African American community either. In my preliminary research with members of the African American Deaf community in Seattle, it has become evident that for a host of socio-political reasons such as lack of resources to take classes, lack of knowledge about Deaf culture, lack of time needed to learn a new language, hearing family members do not use ASL nor sign with their children. All of them have been raised oral; they read lips and voice for themselves with family members. Robin remembered family gathering and stories being told but was left feeling frustrated because no one was using ASL so she was not able to fully understand what was being said because to lip read multiple conversations at once is impossible. This is

a common story for many Deaf people who were raised in hearing families with little linguistic communication.

How can hearing African Americans embrace individuals who are Deaf within the community? It is my opinion that first and foremost we have to be able to acknowledge there is an active subculture. Regardless of their audiological abilities—whether they can hear or not—they should still be able to be integral members of the African American community. Deaf people of African descent face the same kinds of social discrimination that hearing African Americans do, but even more so—they have a double minority status because of their deafness. For this reason, it is of utmost importance that hearing African Americans find ways to include Deaf African Americans in the greater racial/ethnic community. When I asked Robin how she thought Deaf African Americans could be embraced and better incorporated into the larger African American community she agreed that first the hearing community needs to acknowledge and accept the fact there is a subculture of Deaf African Americans, with a language and culture. She also thought if Deaf people were recognized then the natural extension of this acceptance would be more interpreters made available to facilitate in communication at different cultural and social events. Others have also expressed to me their frustration at not being able to attend cultural events because interpreters were not made available.

Hecht's work clearly illustrates the importance of language and its use for sharing cultural information. He argues that, "Communication and culture are not truly separable. Communication is meaningful because of the culture that frames it, and culture must be expressed to exist" (Hecht, 2003:2). Thus it is vital that hearing families with Deaf children find ways to communicate their family history and their cultural background in a language that is accessible to the Deaf child. For many Deaf people ASL would be the most accessible language; however, what I have learned from people I have talked with is that it is unrealistic to suggest that all hearing African American families with Deaf children should learn ASL.

An older African American woman who is audilogically deaf but does not sign nor identify as culturally Deaf explained to me that being Black is already something that sets her apart so placing emphasis on being deaf would further alienate her from family and peers. Because of this perception her family strategically decided to have her learn to voice and read lips, as opposed to having the family learn ASL or embrace the Deaf culture. I understand the attitude that being born African American in the United States represents one strike against you so why add another strike by identifying as Deaf. I am left wondering where African American Deaf people find a community where they can be their whole self. It is as if they are allowed to be their ethnic self at home with family members but have restricted (limited to lip-reading) access to the language and they can be their more freely communicating cultural self in the Deaf community because they have access to the language, but they feel as if a part of them is missing.

The idea of having to navigate between the mainstream white Deaf community and the hearing African American community is something unique to Seattle. This concept was completely foreign to the African American Deaf people I spoke with in larger cities such as Washington D.C. where there is a larger concentration of African American people in general. One woman I spoke with in Washington D.C. felt there was a complete African American Deaf community where she could be herself. There was the same frustration of not having family members sign and the mainstream Deaf community ignoring her racial/ethnic background, but because there were more African American Deaf people as a whole she felt as if she had a consistent community to go to for support. In contrast, in Washington State there are relatively few African Americans, we make up 3.5% of the state's total population which makes aligning oneself with and finding a community much more of a challenge.

Conclusion

Thus far in my research it seems that individuals who are both African American and Deaf struggle to align themselves fully with a particular community. Generally hearing African Americans are reluctant to learn ASL, making effective communication with family members nearly impossible. While in the mainstream Deaf community language may be accessible but there are other intangible yet vital aspects of the life experiences of African Americans that are not being expressed. I see this study as laying a foundation for other areas of research to be explored between the intersection of African American and Deaf cultural identities. First, how does the relative small African American population in Washington State effect the fostering of an African American Deaf community, in comparison to other states where there are simply more African Americans that can support the many subcultures in the community.

Secondly, regarding language use among this younger group of Deaf African Americans can help us to explore the notion of code switching from an African American style of signing to the mainstream ASL style. Code switching research is common for hearing African Americans but no research has explored this type of code switching in the Deaf community. More research is also needed to find out if the African American signing style is a signed version of a hearing African American vernacular or is it a different style with rules and grammar.

Thirdly, how are individuals who are both African American and Deaf in the Northwest navigating their multiple identities? For the individuals I interviewed they all seem to understand the limitations of the mainstream Deaf community to fully understand them and how they fit in. They also have accepted the shortcomings of the hearing African American community that has not done much to recognize them as a subculture of the larger African American community or made accommodations for the Deaf African Americans to participate as full members of the community.

Given that the sample I interviewed are all in their early 20's to early 30's, I would like to explore if age affects these questions in any way. Do older African American Deaf people face a similar predicament of finding a community to participate in fully? I look forward to continuing work with the various groups involved to understand the dynamics of language and identity.

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**Chinese Americans and the Borderland Experience on Golden Mountain: The
Development of a
Chinese American Identity in
The Woman Warrior: Memoirs of a Girlhood Among Ghosts**

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In *The Woman Warrior: Memoirs of a Girlhood Among Ghosts*, Maxine Hong Kingston tells the story of her immigrant family and their efforts to rise above their working-class status in America, which optimistic Chinese regard as the Golden Mountain. The Hong's experience is not unlike that of other immigrants who come to America to escape hardship in their homeland and hope to live the American Dream. The road to American success has numerous obstacles, and immigrants encounter many conflicts on their journey. One conflict relates to their cultural identities. Gloria Anzaldúa uses the word "borderland" to refer to the meeting of two cultures, and she defines the borderland as a "place of contradictions. Hatred, anger and exploitation are the prominent features of this landscape" (n.p.). While Anzaldúa's discussion focuses on the borderland encountered by Mexican Americans, she believes that many share this painful experience:

The psychological borderlands, the sexual borderlands and the spiritual borderlands are not particular to the Southwest. In fact the borderlands are physically present wherever two or more cultures edge each other, where people of different races occupy the same territory, where under, lower, middle and upper classes touch, where the space between two individuals shrinks with intimacy. (n.p.)

The most obvious borderland that immigrants face is when they come in contact with the new culture, but they also encounter discord within their own culture as they become Americanized. The conflict with the mother culture is exacerbated for the children of immigrants who are, most likely, more Americanized than their parents. As E. D. Huntley points out, "Complicating identity is the condition of biculturalism, a double existence that produces in the descendant of immigrants the feeling of belonging to two distinct cultural traditions, yet not feeling completely comfortable in either one" (106). Thus, an often unacknowledged aspect of American success is overcoming the identity crisis that many experience as they attempt to find a balance between their ethnic and American identities. As well, women of color are doubly marginalized because of their ethnicity and gender, so ethnic women often encounter dual barriers on the path to upward mobility.

Kingston's memoir explores the Hong's achievement of the American Dream and the borderland experience of their second-generation daughter as she attempts to unite her

Chinese and American identities. As Sau-Ling Cynthia Wong reminds us, “It is, in fact, essential to recognize that the entire *Woman Warrior* is a sort of mediation on what it means to be Chinese American” (160). Because the work is labeled an autobiography, many readers refer to the narrator as Maxine; however, Kingston explicitly states, “Her name isn’t Maxine; that’s my name” (Skenazy 133). Kingston goes on to explain that her failure to name the narrator is very deliberate because “she’s still trying to find out who she is” (Skenazy 133). Thus, being unnamed is symbolic of the identity crisis that the narrator suffers because she is bicultural. Huntley notes that her “childhood and young adult years are marked by tremendous dislocation, the result of growing up between the Old World (China) and the New (the United States), of growing up ‘hyphenated’” (106). As they straddle the two cultures, it is not uncommon for some Chinese Americans to feel like outsiders in both: they encounter racism and oppression within the Anglo culture because of their Chinese characteristics, and they also face conflicts within their mother culture because they are Americanized. The identity crisis that the narrator experiences is worsened by the fact that she is a female in a culture that does not value women. Ultimately, the work is a story of American success, though not because of the narrator’s eventual financial security, which is how Americans typically define success, but because she finally accepts her dual heritage and develops a Chinese American voice that she uses to empower herself as well as the women of both cultures.

The Hongs’ beginnings in America were typical of many immigrants who came to her shores longing for a better life. Kingston describes her father and his male relatives who left their homeland in 1924, hoping to find monetary relief in America: the “men—hungry, greedy, tired of planting dry soil—had been forced to leave the village in order to send food-money home” (13). Like other immigrants, they discovered that the Golden Mountain’s offerings were, in fact, meager: the only employment that they could find was low-paying, back-breaking work as laborers. Some of them earned enough money to support their families who remained in China, and eventually, they sent for their wives and children to join them.

The establishment of their own uniquely ethnic communities provides immigrants with a feeling of comfort in a country where all is unfamiliar; thus, like other immigrant groups, when Chinese families settled in America, they established communities with those who were also from their homeland, hence the development of America’s Chinatowns. The Hongs moved to the Stockton, California Chinatown, and they “settled among immigrants who had also been their neighbors in the ancestral land” (15-16) because “[l]iving among one’s own emigrant villagers can give a good Chinese far from China glory and a place” (52). Jack Chen explains that their ethnic community served as a “unifying factor” for the Chinese (19); as a result, Chinatown “was invaluable in giving them confidence to deal with the very considerable pressures of the larger society, which were often extremely severe. The immigrants needed all the support they could get to withstand them” (Chen 62). Thus, Chinatown gives the Hongs a sense of security in what is initially a foreign land.

Although they live in a Chinese community, the Hongs, like other immigrants, are drawn to the American Dream, and by working hard, the family achieves the building blocks of the Dream. For example, they become small business owners by opening a laundry, and the Hongs' hard work grants them financial rewards. They are able to purchase goods which signify that they are upwardly mobile, and the Hongs' apartment gradually transforms itself: "I watched our parents buy a sofa, then a rug, curtains, chairs to replace the orange and apple crates one by one, now to be used for storage," and eventually, they purchase a car (191), says the narrator. Their financial success also enables the family to partake in American frivolities: they fly kites and go to carnivals and American movies. Although the Hongs enjoy the illusion of modest success, white America still identifies them as foreigners.

Despite and perhaps because of their apparent accomplishments, Chinese are often the victims of American racism. Because of their physical differences, it is impossible for the Chinese to assimilate completely. Sucheng Chan observes, "Even if an Asian person is willing to change names, his or her physical features are still unassimilated. . . . [P]eople of color cannot 'pass' in white America through a simple name change" (35). The narrator hopes to blend in at school by making herself American-feminine. She recalls trying to walk "erect (knees straight, toes pointed forward, not pigeon-toed, which is Chinese-feminine)" (11). Similarly, her friends are unhappy with their Asian features and try to Anglicize themselves by taping their eyelids (182), but their appearance acts as a barrier to American acceptance because it identifies them as foreigners in the eyes of the Anglos. It is not surprising that young Chinese Americans develop feelings of self-loathing that distance them from their Chinese identities.

Not only does their physical appearance cause them to stand out, but the narrator explains that the Chinese manner of speaking isolates them as well. She explains that Chinese immigrants talk loudly and find it difficult to adapt their speech so that they sound American: "The immigrants I know have loud voices, unmodulated to American tones even after years away from the village where they called their friendships out across the fields" (11). Americans are repulsed by the Chinese sounds: "You can see the disgust on American faces looking at women like that. It isn't just the loudness. It is the way Chinese sounds, chingchong ugly, to American ears" (171). In the family laundry, they humiliate the narrator by making fun of her Chinese accent: "'No tickee, no washee, mama-san' a ghost [an Anglo] would say, so embarrassing" (105). Just as she and her friends attempt to modify their looks, they try to alter their way of speaking as well: "We American-Chinese girls had to whisper to make ourselves American-feminine" (172). Despite their attempts to Anglicize themselves, the girls feel like foreigners in Anglo schools. Chan believes that the primary goal of American schools

was to inculcate Anglo-American values, behavioral patterns, and speech patterns. Students who spoke pidgin English at home and in the playgrounds had to master standard English if they wished to pursue higher education.

The message they received everywhere was that their own origins were inferior and their people powerless. Only by “Americanizing” could they hope for a better life. (59)

Because they are made to feel inferior, it is inevitable that the children fear American schools. The narrator recalls, “When I went to kindergarten and had to speak English for the first time, I became silent. . . . During the first silent year I spoke to no one at school, did not ask before going to the lavatory, and flunked kindergarten” (165). The narrator’s difficulty speaking may be attributed to the American teachers’ inability to account for her cultural differences. When she finally speaks in “the barest whisper” in first grade, the white teacher “scared the voice away again” by demanding that she speak louder (168). Rather than helping the narrator overcome her differences, the teacher reacts by placing her near a group of noisy boys, thus suggesting that the child is unworthy of her attention. A Hawaiian teacher, who should, in theory, be more attuned to cultural differences, excludes the Chinese girls from participating in a class play because their “voices were too soft or nonexistent” (167). For the narrator, attending American schools is painful because the dominant white culture is unwilling to accept her cultural differences, and this further alienates her from her ethnic identity.

When the narrator meets another Chinese girl who also refuses to speak, she sees a mirror image of herself and hates the girl for reminding her of her own silence. She attempts to force the girl to talk because she understands that, like herself, the girl cannot be an American success without an American voice. In her discussion of Chang-rae Lee’s novel *Native Speaker*, June Dwyer makes several points that are pertinent to understanding the narrator’s feelings about silence. Dwyer writes:

Immigrants want to learn English because they know their chances of more than modest success in this country are virtually nil without it. But the practical element constitutes only part of the immigrant desire to master English. The other component is psychological; not to speak English is to be ignored. . . . The fact that silence is tantamount to invisibility both disturbs and undermines the confidence of the immigrant. (73-74)

When the narrator tells the silent girl, “You’ve got to let people know you have a personality and a brain” (180), she shows that she recognizes that as women and as non-native speakers of English, Chinese women risk being doubly marginalized. The silent girl helps the narrator to recognize the limitations that are placed on Chinese American women as a result of their sexual and cultural differences. This awareness enables the narrator to develop an Americanized voice, and she uses her new voice to rebel against her parents and their Old World ways:

I'm going to college. And I'm not going to Chinese school anymore. I'm going to run for office at American school, and I'm going to join clubs. I'm going to get enough offices and clubs on my record to get into college. And I can't stand Chinese school anyway; the kids are rowdy and mean, fighting all night. And I don't want to listen to any more of your stories; they have no logic. They scramble me up. You lie with stories. (202)

The narrator announces a break from her Chinese heritage, but she has little understanding of the culture from which she is separating.

The borderland that the Chinese American narrator experiences with her mother culture is reinforced by a dominant culture that stereotypes the Chinese as well as parents who are unwilling to discuss their cultural beliefs. The narrator notes, "Those of us in the first American generations have had to figure out how the invisible world the emigrants built around our childhoods fits in solid America" (5). She believes that the children of Chinese immigrants do not understand their culture because it is not explained to them. She wonders,

Chinese-Americans, when you try to understand what things in you are Chinese, how do you separate what is peculiar to childhood, to poverty, insanities, one family, your mother who marked your growing with stories, from what is Chinese? What is Chinese tradition and what is the movies? (5-6)

The confusion is further complicated by the fact that the Chinese are misrepresented in American popular culture where children are introduced to American stereotypes of the Chinese, and in American schools, the children learn little about their history. Chan explains, "Regardless of whether they attended integrated or segregated schools, children of Asian ancestry on the mainland were taught by white teachers and learned from textbooks that contained no information about their own cultural legacy" (63). Thus, Chinese American children find few accurate explanations of their culture within the Anglo culture. Although the children may grow up hearing their mothers talk story (the Chinese tradition of storytelling) about Chinese myths, the children of Chinese immigrants are unlikely to have direct contact with China; therefore, they must rely on their parents' explanations of Chinese history and traditions. However, often the Chinese beliefs are avoided by knowledgeable family members; for example, Brave Orchid "never explained anything that was really important." The narrator complains, "[W]e kids had to infer the holidays. She did not whip us up with holiday anticipation or explain" (185). As a result, the Chinese American children are further alienated from their Chinese identities. The narrator wonders, "How can Chinese keep any traditions at all? They don't even make you pay attention, slipping in a ceremony and clearing the table before the children notice specialness. The adults get mad, evasive, and shut you up if you ask" (185). Brave Orchid, however, does not discuss her culture's

traditions because she considers her children to be Americans. The narrator explains, "They would not tell us children because we had been born among ghosts, were taught by ghosts, and were ourselves ghost-like. They called us a kind of ghost" (183). Thus, parents see their children as foreigners, and the borderland created by these feelings makes it difficult for Chinese American children to feel loyal to their Chinese heritage.

Reconciling with their Chinese roots is particularly difficult for Chinese girls because their culture teaches that "[g]irls are maggots in the rice" (Kingston, *Woman Warrior*, 43). According to Chinese beliefs, women have few rights as individuals; in fact, a woman's lack of freedom is demonstrated by the culture's marriage customs. When a Chinese woman marries, she becomes the property of her in-laws: "Daughters-in-law lived with their husbands' parents, not their own; a synonym for marriage in Chinese is 'taking a daughter-in-law'" (Kingston, *Woman Warrior*, 7), which exhibits the degree to which a woman is considered to be a piece of property. However, while the Chinese convey the belief that women are useless, when the adults talk story they often share tales of heroines who are swordswomen. Diane Simmons wonders, "How has this portrait of female power emerged, if women in Chinese culture are so thoroughly disenfranchised?" Simmons offers, "One answer may be that Chinese women have always found ways to subtly subvert their society's rules" (56). *Brave Orchid* serves as an excellent example of Simmons's suggestion. *Brave Orchid* rebels against her culture's misogynistic beliefs by intimating to her daughter that she can choose to grow up to be a strong woman. For example, while *Brave Orchid* tells her that she "would grow up a wife and a slave [sic]," she also teaches her about the warrior woman, Fa Mu Lan (20). Because of these contradictory lessons, the narrator recognizes that she has the power to control her own destiny and resolves, "I would have to grow up a warrior woman" (20). W. Lawrence Hogue acknowledges that the narrator searches "for social identification and historical continuity" in these Chinese myths, but he believes that she fails to find appropriate role models (122). However, it is important to note that these myths empower the narrator by compelling her to write. By telling her story, the narrator nullifies her culture's view of women by talking story about how her culture subjugates women; thus, although the narrator has grown up in a misogynistic culture, she carries on her female ancestors' acts of subversion.

In addition to talking story about victimized women, the narrator revises the traditional myths so as to portray the female subjects as powerful re-creations. For example, by telling the story of "No Name Woman" in the first chapter, she illustrates the oppression that Chinese women confront within their patriarchal culture. "No Name Woman" is about her aunt, who committed suicide because she became pregnant and shamed her family. *Brave Orchid* tells the story as a lesson as her daughter enters womanhood: she should not humiliate her family in such a way. The narrator is told to keep the story a secret: "Don't tell anyone you had an aunt. Your father does not want to hear her name. She has never been born" (15). By accepting these instructions, the narrator realizes, "[T]hey want me to participate in her punishment. And I have" (16). However, by finally telling the story "after

fifty years of neglect” (16), as well as by creating alternate versions that do not portray her aunt as a victim, the narrator gives voice to her oppressed, forgotten aunt, thereby empowering No Name Woman. Similarly, “White Tigers,” the second chapter, is the traditional story of Fa Mu Lan. However, according to the narrator’s adaptation, Fa Mu Lan dresses as a man, assumes her father’s place in battle, and becomes a heroine to her family and her village. Thomas J. Ferraro believes that the narrator “interprets Fa Mu Lan, in unprecedented fashion, as a protofeminist. Whereas the traditional story emphasizes bleak sacrifice . . . she emphasizes a desirable role transcendence” (168-69). Thus, by revising traditional Chinese myths, the narrator empowers herself and her culture’s victimized females.

In a similar fashion, the narrator contrasts the stories of Brave Orchid and her sister, Moon Orchid, to inspire women. She demonstrates that a woman has the power to choose her fate. She can be strong, like Brave Orchid, or she can be a victim, like Moon Orchid. By telling Brave Orchid’s story in “Shaman,” the narrator portrays her mother as a feminist role model. Before coming to America, Brave Orchid uses the money that her husband sends home to attend medical school. After graduating, she returns to her village to be a midwife. Ferraro observes, “The author’s recreation pays testimony to her mother’s courage and power in breaking away from the village, completing her training, and reconstituting herself within a profession among similarly uprooted women” (175). As a contrast to Brave Orchid’s story, in “At the Western Palace” Moon Orchid is portrayed as a passive, voiceless woman who has waited in China for thirty years for her husband to invite her to join him in America. When a reunion with him is unsuccessful, Moon Orchid’s resulting insanity is a means of escaping her disappointment. The narrator uses Moon Orchid’s unfortunate experience to motivate women to become self-sufficient. As a result of their aunt’s broken heart, “Brave Orchid’s daughters decided fiercely that they would never let men be unfaithful to them. All her children made up their minds to major in science or mathematics” (160). By talking story about Brave Orchid and Moon Orchid, the narrator illustrates that a woman, even a Chinese woman, has the power to determine her own fate.

Because she is oppressed by both the dominant culture and her own culture, it is doubly difficult for the Chinese American woman to achieve American success. For many, these marginalizations maximize their determination to succeed, both as ethnics and as women. Ronald Takaki explains that many second generation Chinese Americans “wanted to break away from the immigrant status of their parents and hoped that education and employment in the professions and skilled occupations would advance them toward equality in American society” (265). Thus, one reason that the narrator wants to go to college is to achieve more than the modest goals that her parents have set for her. Patricia Chu agrees: “A powerful subtext of this book is the narrator’s desire to rise above her parents’ low social status in America. Thus her declaration that she will go to college instead of marrying a Chinese immigrant or becoming a clerk-typist . . . is a stinging rejection of her parents’ class

status” (101). Clearly, her parents’ marginalized position and humble expectations compel the narrator to strive to obtain the American Dream of financial stability.

But perhaps a more significant reason that the narrator wants to be an American success is to convince her parents that she is as valuable as a boy, so she attempts to prove her worth by showing her intellectual abilities. The narrator excels in school, but this does not alter her position within her family. She complains, I “studied hard, got straight A’s, but nobody seemed to see that I was smart” (195). The narrator believes that her mother is unimpressed by her scholastic accomplishments, and she asks,

Do you know what the Teacher Ghosts say about me? They tell me I’m smart, and I can win scholarships. I can get into colleges. I’ve already applied. I’m smart. I can do all kinds of things. I know how to get A’s, and they say I could be a scientist or a mathematician if I want. I can make a living and take care of myself. (201)

When she is unsuccessful at garnering her family’s respect, the narrator attempts to validate her identity by leaving home: “I went away to college—Berkeley in the sixties—and I studied, and I marched to change the world, but I did not turn into a boy. I would have liked to bring myself back as a boy for my parents to welcome with chickens and pigs” (47). Although she is on her way to becoming an American success, the narrator remains a girl in her parents’ eyes and is therefore less valuable than her brothers.

Because she feels inferior in her own culture, the narrator’s conflicts with her Chinese heritage persist in adulthood. She finds comfort in her American accomplishments: “When I visit the family now, I wrap my American successes around me like a private shawl; I am worthy of eating the food” (52); however, she continues to resist the part of her that is Chinese by attempting to make her “life American-normal” (87). She sees the Chinese traditions as confusing and illogical, and she prefers the ease with which she understands American ways. She confesses, “Give me plastics, periodical tables, t.v. dinners with vegetables no more complex than peas mixed with diced carrots” (204). Furthermore, she abandons the traditional responsibilities of a Chinese woman: “Even now, unless I’m happy, I burn the food when I cook. I do not feed people. I let the dirty dishes rot. I eat at other people’s tables but won’t invite them to mine, where the dishes are rotting” (48). The narrator illustrates that for some Chinese American women, achieving the American Dream is not simply about financial success; it is also a means of resisting the rigid gender roles imposed on them by their Chinese culture.

Despite the narrator’s seeming contentment with her American accomplishments, it is impossible for her to deny the part of her that is Chinese: “Even now China wraps double binds around my feet,” she says (48). Ultimately, the narrator recognizes that she must embrace her two identities. As Huntley explains, border inhabitants

have double identities—they are of both cultures and can negotiate each one separately, but their true identities are bound up with their dual heritage. Shaped by the dominant culture in which they have been educated, these individuals nonetheless feel strongly drawn to the traditions and values of their families and to their parents' ancestral cultures. (73)

The narrator's ultimate acceptance of her Chinese heritage is represented by her relationship with her mother and the Chinese tradition of talking story. She explains, "At last I saw that I too had been in the presence of great power, my mother talking-story" (19-20). This realization enables her to reconcile with her Chinese self for she recognizes that as an adult, she talks story according to the Chinese traditions. At the same time, however, her manner of talking story also demonstrates the influence of American attitudes. While she tells her mother's stories, she creates her own Americanized endings. For example, in the final chapter, "A Song for a Barbarian Reed Pipe," the narrator shares the tale of the poetess, Ts'ai Yen: "Here is a story my mother told me, not when I was young, but recently, when I told her I also talk story. The beginning is hers, the ending, mine" (206). As Hogue explains, "In telling her own story, the female narrator uses talk-storying to synthesize her Chinese and American heritages" (127). Huntley calls this union her "authentic self" and explains that it

will necessarily be neither Chinese nor mainstream American, but will incorporate elements of both into a Chinese American identity. The struggle to create a new and more inclusive definition of the designation "American" is a theme that permeates all of Maxine Hong Kingston's work. (107)

Not surprisingly, Kingston believes that "we ought to leave out the hyphen in 'Chinese-American,' because the hyphen gives the word on either side equal weight, as if linking two nouns Without the hyphen, 'Chinese' is an adjective and 'American' a noun; a Chinese American is a type of American" ("Cultural Mis-readings" 99).

The narrator overcomes the borderland conflict and develops into a harmonious adult by accepting her biculturalism. By talking story, she shows that she has come to terms with her Chinese ancestry. By adapting the stories, she reveals her American self. As well, the narrator shows that one need not assimilate to be an American success. In reality, true success should be defined by our ability to celebrate our hybrid identities. We need to recognize that one need not be white to be accepted as an American.

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“Their Sleep is to Be Desecrated”: The Central Valley Project and the Wintu People of Northern California, 1938-1943

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O, white man, take the land of ours,
Guard well its hills, streams, and bowers,
Guard well the Mounds where Wintoons sleep,
Guard well these canyons wild and deep.

Alfred C. Gillis, “To The Wenem Mame River”(Excerpt)¹

The morning of July 14, 1944, was intended to be a moment of celebration for the City of Redding, California. Secretary of the Interior Harold L. Ickes had been scheduled to arrive in the booming city to dedicate Shasta Dam, a national reclamation project of great pride to local citizens and construction workers. Just days prior, however, the dedication ceremony had been canceled due to the inability of Ickes to leave Washington D.C.. Instead, a small group of U.S. Bureau of Reclamation (BOR) officials, Sacramento Municipal Utility District (SMUD) officials, and local city officials quietly gathered within the dam’s \$19,400,000 power plant. A BOR official flipped a switch to start one of the plant’s two massive generators, sending a surge of 120,000 watts of hydroelectricity into California’s transmission lines and the Pacific, Gas, and Electric (PG&E) distribution system. This energy would fuel the West’s war industries and the federal defense effort in World War II. Though without fanfare, the switching event signaled the official start of commercial production of power from the world’s second largest dam and keystone of the Central Valley Project (CVP). From Washington, D.C., the event was heralded by BOR Commissioner

Notes

¹ Alfred C. Gillis, “To the Wenem Mame River,” ca 1924, as printed in the collection entitled *Three California Writers* from the *Sequoyah Research Center; American Native Press Archives*, available at [http://www.anpauark.edu/digital_library/Three California/alfredgillis.htm](http://www.anpauark.edu/digital_library/Three%20California/alfredgillis.htm). Gillis, who identified himself as a Wintoon Indian of Shasta County, was a poet, writer, and active member of the Indian Board of Co-operation. He frequently toured California and traveled to Washington D.C. to promote the rights of California’s Native people in the 1920s. Gillis’ poems are printed in editions of the *California Indian Herald* newspaper published in 1923 and 1924. For more information on Gillis, see also Alice R. Hoveman, *Journey to Justice, The Wintu People and the Salmon* (Santee, CA: Bordeaux Printers, Inc., 2002 © Turtle Bay Exploration Park), 58-59.

Harry W. Bashore as “a milestone in the fulfillment of visions Californians have had for nearly 100 years.”²

Yet not all Californians shared in the hopeful “visions” associated with Shasta Dam. Indeed, for one group of Native Californians, the dam was more the making of a tragedy than the fulfillment of dreams. In 1941, U.S. Indian policy was modified in response to political pressures connected to the CVP, an action that resulted in the immediate dispossession of several Native families. Shasta Dam thus fragmented a distinct Native community that had already experienced close to a century of cultural loss. Up until 1943, families of Native descent had lived in the rugged and beautiful river canyons now submerged by the waters of Shasta Reservoir. The words of one local “Indian”, otherwise identified only as “Wintu,” spoke loud and clear: “It was against all Christian ethics to move them—we have laid our dead with tears, and great hope, and we are grieved that their sleep is to be desecrated.”³ Government officials had relocated some, but not all, of his ancestors’ graves to higher ground; yet his traditional homelands and spiritual sites now lay under water.

The Native man who eloquently spoke of his ancestors’ burials belonged to an ancient California tribal group most frequently identified as the Wintu of northern California.⁴ The ancestral territory of the Wintu covered parts of Trinity, Shasta, Siskiyou, and Tehama Counties, and encompassed a substantial portion of the river drainage system that feeds the Shasta Reservoir of Shasta County. This drainage system includes the upper Sacramento River, the McCloud River, the Pit River, and Squaw Creek. The people of the Wintu were originally divided into nine major groups (or bands) identified by the traditional names that referred to their geographic territories,

² “Official Flow of Power at Shasta Begins,” *Sacramento Bee*, 14 July 1944, p. 1, col. 5.

³ Helen Steadman Hogue, *Wintu Trails*, ed. Margaret M. Kardell (Redding: Shasta Historical Society, 1977; reprint, Redding: Shasta Historical Society, 1995), 72. Originally published as *Peaceful Now The Trails* by the Shasta Historical Society in 1948. Hogue was an amateur historian who served as President of the Shasta Historical Society in the 1940s. From 1938 to 1943, she interviewed Native families and tribal elders who lived in the river canyons above Shasta Dam.

⁴ Several variations in the spelling of these names appear in the historical, ethnographic, and anthropological literature/record. According to anthropologist and artist Frank R. LaPena, of Nomtipom Wintu descent, the name “Wintu” (pronounced *win too*) derives from the Native word “*wint’u’li*” which translates as a single “person.” Anthropologist Alfred Kroeber proposed the name “Wintu” to distinguish this northern group from the Patwin, or Southern Wintun and Nomlaki, or Central Wintun (Frank R. LaPena, “Wintu,” in *Handbook of North American Indians*, vol. 8, California, ed. Robert F. Heizer [Washington D.C.: Smithsonian Institution, 1978], 339; Alfred Kroeber, “The Patwin and their Neighbors,” *University of California Publications in American Archaeology and Ethnology*, vol. 29(4): 253-423 [Berkeley, Los Angeles: University of California Press, 1932]). However, the spelling “Wintu” is not universally used as “Wintoon,” “Win-toon,” “Wintun,” “Northern Wintun,” “Northern Wintoon,” “Wyntoon,” “Wintune,” and “Shasta Indians” have also been applied. Family members have variously used “Wintun,” “Wintune”, and “Wintoon” to describe their cultural heritage per Helen Hogue (Hogue, *Wintu Trails*, 1) and tribal elders. Both “Wintu” and “Wintoon” are used throughout this paper to honor the historical record (when citing directly from various sources) and to respect Native affiliations with today’s Winnemem Wintu tribe and Wintoon Tribe of Northern California, INC..

including the *nomti-pom* (“in-the-west ground”) on the upper Sacramento River and the *wenemem* or *wene-em* (“middle water”) on the McCloud River.⁵ Those individuals belonging to or descended from the *wenemem* (today spelled *Winemem* or *Winnemem*) group, or the McCloud River Wintu, were most heavily affected by construction of the dam. Today, approximately 145 Winnemem descendants belong to the *Winnemem Wintu* tribe.⁶ Five descendants are currently organized as the *Wintoon Tribe of Northern California, INC.*⁷ Other current Wintu groups of Shasta County are the *Wintun Tribe of Northern California*, the *Nor-El Muk Wintu Nation*, and the *Toyon-Wintu*.⁸

Like many other Native groups in California during the nineteenth century, the Wintun experienced serious population loss from disease, starvation, warfare, and raiding that followed the arrival of Euro-Americans.⁹ In 1851, tribal leaders attempted to secure reservation lands from the federal government through the “Cottonwood Treaty;” however, Congress never ratified the treaty and subsequently seized the land.¹⁰ From the 1850s until the turn of the century, gold mining, copper-smelting, and timber harvesting destroyed many of the natural resources relied upon in the

⁵ Frank R. LaPena, “Wintu,” in *Handbook of North American Indians*, vol. 8, California, ed. Robert F. Heizer (Washington D.C.: Smithsonian Institution, 1978), 324. For other definitive ethnographies, see also Frank LaPena, “Wintu Ethnography Revised” (M.A. thesis, California State University, Sacramento, 1978); Cora Du Bois, “Wintu Ethnography,” *University of California Publications in American Archaeology and Ethnology*, vol. 36(1): 1-148 (Berkeley: University of California Press, 1935); C. Hart Merriam, “Tribes of Wintoon Stock,” *Studies of California Indians* (Berkeley, Los Angeles: University of California Press, 1955), 3-25; and Christopher K. Chase-Dunn and Kelly M. Mann, “The Wintu and Their Neighbors,” (Tucson: University of Arizona Press, 1988).

⁶ Calleen Sisk-Franco (Spiritual Leader) and Mark Franco (Headman) of the Winnemem Wintu tribe, interview with author at the village of Kerekmet outside Redding, CA, 3-4 November 2005; *Winnemem Wintu Tribe The Long Journey to Justice*, available at <http://www.winnememwintu.us/>; accessed on 5 September 2005.

⁷ Doris Lovely (Chairman), Nellie Bell, Vernon Popejoy, Jr., and Norman Popejoy of The Wintoon Tribe of Northern California, INC., interview with author in Summit City, CA, 11 October 2005.

⁸ As of the date of this writing, these Wintu tribes are not recognized by the U.S. Government.

⁹ Between 1849 and 1864, vigilantes as well as military troops fought a series of wars with California’s Native people that resulted in the “massacre” and destruction of many Wintu villages. One example is the “Wintoon War” of 1858-1859. Pre-European contact, the Wintu population is estimated to have been 14,250. By 1910, the population had dropped to an estimated 395 individuals (LaPena, *Handbook*, 325). See also Albert Hurtado, *Indian Survival on the California Frontier* (New Haven, Connecticut: Yale University Press, 1988), 42, 122.

¹⁰ The “Cottonwood Treaty” was signed on August 16, 1851 between several Native headmen representing bands of the Wintu population and U.S. Indian Agent O. M. Wozencraft at Pierson Reading’s ranch. See Robert F. Heizer, ed. *The Eighteen Unratified Treaties of 1851-1853 Between The California Indians and The United States Government* (Berkeley: Archaeological Research Facility, Department of Anthropology, University of California, 1972), 49-51 and Hogue, 15.

traditional tribal economy.¹¹ These losses forced Native people to make significant cultural adjustments in order to survive. Several Native women and Anglo men (mostly miners and ranchers) intermarried, producing offspring and families of mixed Native/Anglo descent. These mixed-blooded families, as well as full-blooded Native individuals, adopted Anglo surnames such as Popejoy, Silverthorne, Campbell, McDaniel, and Curl; however, some individuals still possessed Wintu names as well.¹²

Anthropologist and linguist Jeremiah Curtin writes in his journals, “The Wintus in 1884 had no land; they lived where white men would let them, generally on the useless land of some farmer or ranch owner.”¹³ Thus in 1890 Curtin delivered to President William Harrison the *Wintu-Yana Petition* – essentially a letter which translated an appeal from *Nor'-el-poo'tus* (also referred to as *Norel-putis* and *Norale Pootus*) and *Klencaddy*, Wintu leaders, for the Wintu and the Nosa (later identified as the Yana) tribes. Curtin writes, “At the McCloud I worked with *Nor'-el-poo'tus* and *Klencaddy*, the two oldest men of the *Wintu* tribe . . . The *Nosas* [Yanas] and *Wintus* wanted me to tell the President what a homeless condition they were in, how the white men drove them from place to place.”¹⁴ However, the U.S. did not respond to the petition for land until President Grover Cleveland was elected in 1892. During Cleveland’s administration, the Department of Interior’s (DOI) Office of Indian granted allotments of 80 to 160 acres to some Wintu individuals along the McCloud River. According to the Winnemem Wintu tribe’s oral history, a total of 4000 acres of land along the river were allotted to the Winnemem or McCloud River Wintu people in 1920.¹⁵ Many of these allotments were either sold or “canceled” yet other allotments were divided into smaller parcels, passed down from the original owners (“allottees”) to their children or other family relatives (“heirs”).¹⁶

¹¹ LaPena, *Handbook*, 324-325. In the 1890s and early 1900s, copper-processing plants established at towns like Kennett and Coram poisoned natural vegetation and tree groves along the Upper Sacramento and Pit River. The upper McCloud River canyon, however, appears to have been less impacted by smelting operations.

¹² Hogue, 1-73.

¹³ Margaret Guilford-Kardell, “Papers on Wintu Ethnography: 239 Wintu Villages in Shasta County Circa 1850,” *Occasional Papers of the Redding Museum Paper No. 1* (Redding: Redding Museum and Art Center, December 1980), 15.

¹⁴ *Ibid.*, 16.

¹⁵ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005.

¹⁶ *Winnemem Wintu position regarding Shasta Dam, ABSTRACT Prepared for the Senate Select Committee Hearings in Washington DC, June 4, 2002*, available at <http://indian.senate.gov/2002hrsg/060402hrg/Franco.PDF>, accessed on 5 September 2005; Hovernan, 56. Campbell, Curl, and Sisk land patents are listed in an index to federal land records for Shasta County extracted from the Bureau of Land Management’s California Land Patents Database, available at <ftp://ftp.rootsweb.com/pub/usgenweb/ca/shasta/land/shasta.txt>.

By the late 1930s, perhaps 400 to 500 Wintu lived in wooden cabins and lodges scattered up and down the along McCloud River canyon and river tributaries feeding Shasta Reservoir.¹⁷ Many lived and worked in towns such as Copper City, Kennett, or Baird, site of a federal fish hatchery and home to the Baird Auxiliary Council, an important political organization for Wintu descendants.¹⁸ Florence Violet Curl Jones (*Pui-lu-li-met*), a noted Wintu shaman born in 1909, was one such individual who called the McCloud River home.¹⁹ Nellie McDaniel Bell, another Wintu elder born in 1927, was raised in the town and former Wintu village site of *Ydalpom* near Squaw Creek, a tributary of the Pit River.²⁰ Bell states that “a lot of [Native and white] people in those days didn’t own land [along the rivers], they just squatted or lived on it.”²¹ However, the Office of Indian Affairs

¹⁷ Hoveman, 60; Hogue, 1-73; LaPen, *Handbook*, 335. LaPen provides a Wintun population estimate of 380 for the year 1930; however, it is not clear if this number includes both full-blooded and mixed-blooded individuals. U.S. census records indicate that the “Indian” population in Shasta County for 1930 was 687 (see Table 1 in the *Annual Narrative Report of the Superintendent, Sacramento Indian Agency, California for the Fiscal Years 1936 and 1937*, by Roy Nash, 1936-1937, 1 October 1937, U.S. Bureau of Indian Affairs Superintendent’s Annual Narrative and Statistical Reports from Field Jurisdictions of the BIA, 1907-1938, Roll No. 121, Microfilm 386, National Archives Microfilm Publication M1011, Library, California State University, Sacramento).

¹⁸ Lovely et al., Wintoon Tribe, interview, 11 October 2005; Wintoon Tribe to Farnham, 8 December 2005; Hoveman, 35, 57-58. Vernon M. Popejoy Sr., a Wintoon elder, lived in Kennett until the late 1930s and worked in both the gold and copper mines of the area. According to Hoveman, the Baird Fish Hatchery, named after U.S. Fish and Fisheries Commissioner Spencer Fullerton Baird, was established in 1872 by Livingston Stone to harvest the rich salmon-runs along the McCloud River. It was the first federal salmon breeding station on the Pacific Coast (Hoveman, 35.)

¹⁹ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005. Flora Jones was recognized as the Spiritual Leader or “Top Doctor” of the Winnemem Wintu tribe until her death in 2003. See also Beverly R. Ortiz, “An Interview with Florence Jones,” *News from Native California* 9, no. 3 (Spring 1996): 39-41; Peter M. Knudson, *The Wintun Indians of California and Their Neighbors*, (Happy Camp: Naturegraph Publishers, Inc., 2002), 59-68; and the website <http://www.winnememwintu.us/memorial.htm>.

²⁰ Lovely et al., Wintoon Tribe, interview, 11 October 2005; The Wintoon Tribe of Northern California, INC. to April Farnham, 8 December 2005, original letter in the hand of April Farnham. According to the Wintoon Tribe, Ida Viola Sisk, the mother of Sarah Popejoy (wife of Vernon M. Popejoy Sr.), also served as a spiritual doctor for the Native people of the Shasta Reservoir region from 1938 to 1943. Nellie Bell’s parents are Arthur and Lala Stacy McDaniel, who married Wes Curl (Florence Jones’s brother) after Arthur McDaniel passed on in 1941. For more information on tribal villages in the Shasta County area, see Margaret Guilford-Kardell, “Papers on Wintu Ethnography: 239 Wintu Villages in Shasta County Circa 1850,” *Occasional Papers of the Redding Museum Paper No. 1* (Redding: Redding Museum and Art Center, December 1980).

²¹ Lovely et al., Wintoon Tribe, interview, 11 October 2005. Nellie Bell’s paternal grandmother was granted a 160-acre allotment, which she divided into 40-acre parcels among her four sons including Bell’s father, Arthur McDaniel. Upon Arthur McDaniel’s death, Bell’s mother (Lala Stacy McDaniel) inherited 40 acres of land near the Pit River.

reported that at least 175 “Indians” owned land (anywhere from one to 160 acres) within the Shasta Reservoir region in 1938/1939.²²

Wintu land allotments became a priority for the DOI following passage of California’s Central Valley Project Act in 1933 (California Statutes of 1933, Chapter 1042).²³ The CVP, planned and implemented by the BOR, had several stated purposes or “beneficial uses.” Among these purposes were water storage for domestic and agricultural use, flood control along the Sacramento River, regulation of salinity levels in the lower Sacramento Delta, improvement of water quality, maintaining reliable river navigation levels, fish conservation, and (most importantly) electric power.²⁴ The CVP comprised several dam-reservoir-hydroelectric plant facilities; however, its keystone would be the Kennett Dam, later renamed Shasta Dam, on the Sacramento River. As planned, the dam would back up the waters of the upper Sacramento, Pit, and McCloud rivers a distance of thirty five miles, creating a reservoir that covered approximately 30,000 acres.²⁵

Bureau of Reclamation officials, anxious to get the CVP underway, surveyed the proposed site for the Shasta Dam and its reservoir from 1935 and 1937. By 1938, Pacific Constructors, Inc. (P.C.I.), the contractor which won the construction bid, had begun building government employee camps and excavating soil for diversion tunnels and dam foundations. These government camps, also called “squatters camps” due to the hundreds of unemployed, Depression-worn laborers who flocked to them, developed into the boomtowns of Central Valley, Project City, Summit City, and Toyon.²⁶ The Civilian Conservation Corps (CCC) established up to eleven camps in Shasta County

²² John G. Rockwell (Field Representative in Charge, Sacramento Indian Agency) to Commissioner of Indian Affairs, 18 February 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco in the village of Kerekmet outside Redding, California.

²³ House Committee on Interior and Insular Affairs, *Central Valley Project Documents, Part 1 Authorizing Documents*, House Document No. 416 (Washington D.C.: U.S. Government Printing Office, 1956), 409-431. The language of the California CVP Act, 1933 does not specifically address the issue of Native title to lands within the CVP area. Congress passed several acts authorizing and modifying the state CVP Act from 1935 to 1941. The U.S. Act of August 26, 1937 declared the CVP’s purposes as “beneficial uses”, among those the “reclamation of arid and semiarid lands and lands of Indian reservations” (*Statutes at Large*, vol. 50, section 844, 26 August 1937).

²⁴ Al Rocca, *America’s Shasta Dam, A History of Construction, 1936-1945* (Redding: Harvest Printing, 1994; reprint, Redding: Harvest Printing, 1995), 5, Special Collections, Shields Library, University of California, Davis. Dr. Rocca’s book is partially based on a dissertation entitled “The Shasta Dam Boomtowns: A Social and Economic History, 1938-1950” he completed for a PhD in history at UC Davis in 1991.

²⁵ California Legislature, Joint Interim Committee on Water Problems 1941-1942, *Data Information and Itinerary Covering Inspection of Central Valley Project and Units of the State Water Plan in the San Joaquin Valley*, No. VI, 11-17 May 1942, *Earl Warren Papers 1924-1943*, Series 315 Central Valley Project, 1941-1953 (26f), F3640:3550, California State Archives, Sacramento, California.

²⁶ Al M. Rocca, “The Shasta Dam Boomtowns: A Social and Economic History, 1938-1950” (PhD. Diss., University of California Davis, 1991), Special Collections, Shields Library, University of California, Davis.

to house the young men hired to clear brush and trees along the rivers and tributaries above the dam site. The fish hatchery headquarters at Baird were in fact converted to one of these CCC camps.²⁷ One of Baird's CCC laborers was Charles T. Popejoy, whose grandmother was full-blooded Wintu.²⁸

With the dam scheduled for completion in 1943, the BOR desired to secure title to "Indian lands" within the proposed reservoir area as quickly as possible. Thus in the fall of 1938, the BOR directed its first requests for land allotment purchases to the Bureau of Indian Affairs (BIA) office in Sacramento, then known as the Sacramento Indian Agency, which had jurisdiction over Native allottees (reservation and non-reservation status) in the Shasta County area.²⁹ At this time, Roy Nash held the post of Agency Superintendent. Nash felt that the overall living conditions for California's Indians needed improvement, yet he also desired to "terminate" BIA services as soon as possible as indicated in a narrative report to the Commissioner of Indian Affairs, John Collier, in 1937.³⁰ Collier, appointed by President Franklin D. Roosevelt in 1933, was in the process of implementing the Indian New Deal - a collection of programs aimed at rebuilding tribal land bases and establishing tribal governments and economic enterprises. However, these programs applied primarily to reservation or rancheria-status Indians, which excluded Native people living in Shasta County outside of the Redding Rancheria (established in 1922), and had little impact on Native people within Sacramento's jurisdiction.³¹ One exception perhaps was the CCC program of Shasta County.

²⁷ Rocca, *America's Shasta Dam*, 17; Hogue, 71. Brush and trees were cleared from the river's edge out to four miles.

²⁸ Lovely et al., Wintoon Tribe, 11 October 2005. It is unknown exactly how many other Wintoon or Wintu men were hired by the CCC as laborers during construction of Shasta Dam.

²⁹ Government correspondence for the years 1938 through 1943 show that "Bureau of Indian Affairs" was alternately used to refer to or describe the DOI's Office of Indian Affairs. The Sacramento Indian Agency, established in 1923, held jurisdiction over Indian reservation and rancheria lands in forty-three counties in California, including Shasta County. Indian allotments in the Shasta Reservoir area did not fall within a reservation but were still considered BIA-administered lands.

³⁰ Department of the Interior, Bureau of Indian Affairs, Sacramento Area Office, *Annual Narrative Report of the Superintendent, Sacramento Indian Agency, California for the Fiscal Years 1936 and 1937*, by Roy Nash, 1936-1937, 1 October 1937, Roll No. 121, Microfilm 386, National Archives Microfilm Publication M1011, U.S. Bureau of Indian Affairs Superintendent's Annual Narrative and Statistical Reports from Field Jurisdictions of the BIA, 1907-1938, Library, California State University, Sacramento. The narrative report is also available at <http://arcweb.archives.gov/arc/> with keyword search "John Collier and Sacramento."

³¹ Thomas S. Melendrez, "John Collier's Indian New Deal in California: Federal Indian Policy and the Sacramento Indian Agency, 1933-1945" (M.A. thesis, California State University, Sacramento, 1979), 19-28, 138.

On September 29, 1938, Secretary of Interior Harold Ickes approved a report submitted by a "Board of Appraisers" which he had appointed to appraise approximately 5,710 acres of land tracts located within the proposed project area for Shasta Dam and Shasta Reservoir.³² Among the tracts listed in the appraisal report were three "Indian Allotments [sic]" owned by the following individuals: Walter Harvey (80 acres, valued at \$1,800), Billy Smithson (80 acres, valued at \$1,850), and Ada E. Stone (143 acres, valued at \$2,830).³³ The Harvey and Smithson allotments were located just north of the Pit River within section 8, township 34 north, range 4 west, Mt. Diablo Meridian (M.D.M.) The allotment of Ada Stone, who had passed on in 1925, was located just west of the upper Sacramento River within section 24, township 35 north, range 5 west, M.D.M..³⁴ In a letter dated October 12, the BOR's Sacramento office requested the Sacramento Indian Agency's approval for the sale of the allotments so BOR officials could "proceed to prepare the required land purchases and deeds."³⁵ Superintendent Nash wrote to the Commissioner of Indian Affairs requesting instructions on how to proceed with land negotiations. Nash warned:

This is the first of many sales this office [Sacramento Indian Agency] will have to negotiate, of Indian lands lying within the proposed reservoir of Shasta Dam Most of the lands will be allotments which have passed from the original allottee to several heirs, some of whom it will not be possible to locate.³⁶

³² John C. Page (BOR Commissioner) to The Secretary of the Interior, 26 September 1938, approved 29 September 1938 by W.C. Meritt (Acting Assistant Secretary of the Interior), RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

³³ Walker R. Young (BOR Supervising Engineer in Sacramento) to Bureau of Indian Affairs' Federal Building in Sacramento, California, 12 October 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. Ada E. Stone was one of the original allottees granted land in 1893, according to an index for federal land records on Shasta County extracted from the Bureau of Land Management's California Land Patents Database, available at <http://ftp.rootsweb.com/pub/usgenweb/ca/shasta/land/shasta.txt>.

³⁴ Ibid.; *Petition for the Sale of Inherited Indian Land* for Ada E. Stone (Mitchell), completed by Superintendent Roy Nash of the Sacramento Indian Agency, United States Department of the Interior, Office of Indian Affairs, 9 January 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. The U.S. Department of Interior, California (Shasta County) Redding quadrangle for 1901 indicates that section 24, T35N, R5W, M.D.M. is located near the upper Sacramento River. This quadrangle can be viewed online at http://cricket.csuchico.edu/specfotomaps/topo_search.html.

³⁵ Young to Bureau of Indian Affairs, 12 October 1938.

³⁶ Roy Nash to Commissioner of Indian Affairs, 25 October 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

The belief that it would not be possible to locate all Native heirs became a self-fulfilling prophecy for the U.S. government, one that fit conveniently with the construction schedule for Shasta Dam.

In a key letter dated December 7, 1938, Commissioner Collier responded to Nash's request with a full list of instructions for the land negotiation process. First, he stated that homestead allotments within the proposed Shasta Reservoir area were "not within the boundaries of an Indian reservation, and therefore the sales of these lands are not precluded by the Indian Reorganization Act."³⁷ Following this clarification, he specified that allotment purchases required completion of a certificate of appraisement, petition for sale, and deed of conveyance.³⁸ These papers were to be approved (signed) by both the Commissioner of Indian Affairs and the Secretary of the Interior to bind the agreements. Each deed had to be "executed [signed] by all of the heirs" to the allotment, including minors through guardians legally appointed by court order. It was also advised that petition of sale forms "show that the allottees or heirs agree that the money derived from the sales is to be deposited to their respective credit and subject to disposition in accordance with the Individual Indian Money Regulations."³⁹ All costs for processing these procedures, including court, title conveyance, and deed recording fees, would be "borne by the grantors [allottees]" (the "grantee" was the United States of America).⁴⁰ For the Sacramento Indian Agency, this letter formalized the Office of Indian Affairs' procedures for the completion of Indian land allotment negotiations and purchases associated with Shasta Dam.

³⁷ Commissioner of Indian Affairs to Roy Nash, 7 December 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. The Indian Reorganization Act (IRA), passed in 1934, was the centerpiece of John Collier's Indian New Deal policy. It halted the U.S. allotment policy initiated by the General Allotment Act of 1887, allowed Congress to appropriate up to \$10 million a year to buy back lands for Native reservations, gave reservations the authority to establish tribal governments, and allowed Native people on reservations to organize as legal business entities or corporate enterprises. See Graham D. Taylor, *The New Deal and American Indian Tribalism, The Administration of the Indian Reorganization Act, 1934-45* (Lincoln, Nebraska and London: University of Nebraska Press, 1980) and Elmer R. Rusco, *A Fateful Time, The Background and Legislative History of the Indian Reorganization Act* (Reno and Las Vegas: University of Nevada Press, 2000).

³⁸ There were two government forms used for the deed of conveyance: "Indian Deed Inherited Lands, form 5-183" and "Deed Noncompetent Indian Lands, form 5-183-a."

³⁹ Individual Indian Money Regulations are a collection of federal statutes governing the expenditure, investment, and deposit of monetary funds credited to individual Indians based on prior treaties, other federal/Indian agreements, and decisions of the U.S. Supreme Court. For a listing of these regulations, see Department of the Interior, Office of the Solicitor, *Handbook of Federal Indian Law*, by Felix S. Cohen (Washington D.C.: United States Government Printing Office, 1941; second and third reprints, 1942; fourth reprint, 1945; fifth reprint 1948), 201-202.

⁴⁰ Commissioner of Indian Affairs to Roy Nash, 7 December 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. Assistant Commissioners signed for Collier on most letters directed from the Office of Indian Affairs.

The first Indian allotment sale took place in the summer of 1939. In June of that year, Nash forwarded papers for the sale to the BIA Commissioner for his and the Secretary of Interior's approval. In his forwarding letter, Nash indicated that the cash amount offered by BOR was "quite fair" and that the BOR was "quite anxious to secure title to this particular piece immediately, as the realignment of the railroad is across the edge of this property."⁴¹ The property belonged to Jimmie Mitchell, full-blooded Native son of Ada E. Stone and heir to Stone's allotment. The BOR desired the land immediately for the purposes of relocating a segment of the Southern Pacific Railroad to make room for the reservoir. On the petition of sale form, Nash indicated "This land will be flooded when the Shasta Dam is completed, and if sale is not made, it will be condemned."⁴² His statement reflects the limited options available to allottees in so-called negotiations over land with the U.S. government. The Stone/Mitchell allotment was broken down into the following land use categories and appraisal values: "Agricultural" (20 acres at \$50 per acre), "Potential Homesites" (20 acres at \$20 per acre), and "Grazing" (103 acres at \$10 per acre).⁴³ Few Wintu allotments contained as many acres of the higher-valued agricultural land use as the Stone/Mitchell property. In addition to \$2,430 worth of lands, the allotment contained improvements (e.g., actual homes, stores, fencing, etc.) valued at \$400.⁴⁴ Thus the allotment was valued at a total of \$2,830, the amount cited in the original Board of Appraisers report approved by Secretary Ickes. Subtracted from the amount was the cost of processing the necessary legal paperwork and procedures for the real estate transaction, which in the case of Stone/Mitchell allotment appears to have been approximately \$830 based on later correspondence submitted by the Sacramento Indian Agency.⁴⁵

The BOR's urgency in obtaining the Stone/Mitchell allotment was clear. "It will be appreciated if you expedite your consideration of said papers," wrote BOR Commissioner John C.

⁴¹ Roy Nash to Commissioner of Indian Affairs, 9 June 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴² *Ibid.*

⁴³ *Certificate of Appraisement* for Ada E. Stone, completed by Superintendent Roy Nash of the Sacramento Indian Agency, United States Department of the Interior, Office of Indian Affairs, 21 December 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴⁴ *Ibid.*

⁴⁵ A letter written in 1943 from John G. Rockwell, Field Representative in Charge of the Sacramento Indian Agency, to the Commissioner of Indian Affairs indicates that the greatest amount of money owed any Native allottee in connection with the Shasta Dam project land purchase was \$2,000 (John G. Rockwell to the Commissioner of Indian Affairs, 18 February 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.) The Board of Appraisers report indicates that the Stone/Mitchell allotment was the highest valued property of any Native allotment to be sold to the BOR for the project. It appears then that \$830 was deducted from the original appraisal value (\$2,830) between 1938 and 1943.

Page to the Commissioner of Indian Affairs in a letter dated June 22, 1939.⁴⁶ He referred to papers previously forwarded to the Office of Indian Affairs by Superintendent Nash. The Commissioner of Indian Affairs signed the papers on June 26, and the Secretary of Interior approved them on July 12 – a considerably rapid response time for the DOI. In a follow-up letter, J. M. Stewart, Director of Lands for the DOI, informed Superintendent Nash:

Your attention is called to the fact that the land purchase contract is not dated, nor has it been executed by the Supervising Engineer of the Bureau of Reclamation [Walker R. Young] but as the transaction has been completed by the execution of this deed, these defects were not regarded as material.⁴⁷

Stewart so much as admitted that the BOR as well as the Office of Indian Affairs had disregarded proper procedure for completion of land purchase contracts required for the allotment sale. However trivial a missing date and signature might seem (indeed it seems that this might invalidate the purchase contract), this disregard illustrates the haste of the federal government's approach towards Indian affairs associated with the CVP. In addition to the Stone/Mitchell land purchase, the U.S. government completed transactions for twenty seven allotments in the Shasta Reservoir area from 1939 to 1941.⁴⁸

Meanwhile the BOR moved forward with its construction plans. Around 10 a. m. on July 8, 1940, the P.C.I. poured the first eight-cubic-yard bucket (or block) of concrete for Shasta Dam and lowered it to bedrock on the Sacramento River. According to the *Redding Record-Searchlight*, “hundreds of spectators covered the hillside and the rocky excavation. Cameras clicked, and news-reel cameras buzzed.” On hand to watch the occasion were Frank Crowe, Superintendent of Construction for the P.C.I., and Ralph Lowry, BOR Construction Engineer for the dam.⁴⁹ Such

⁴⁶ John C. Page to Commissioner of Indian Affairs, 22 June 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴⁷ J. M. Stewart to Roy Nash, 17 July 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴⁸ Specific details on these additional land transactions are yet unknown. Record Group 75 of the National Archives-Pacific Region contains records for the Sacramento Indian Agency under a series entitled “Coded Records, 1910-1958, of Programs and Administration, 1950-1958.” File Nos. 419.3 and 419.4 of this series are folders containing BIA files on the Shasta Dam; however, they were withdrawn from the National Archives by the BIA in 1951 and 1952, respectively, and have not been returned. These files likely contain pertinent information regarding land allotment negotiations for the years 1939 through 1942. However, attempts by the Winnemem Wintu tribe and this author to retrieve these files have so far been unsuccessful.

⁴⁹ “Four Years Ago Today First Concrete Was Poured At Dam,” *Redding Record-Searchlight*, 8 July 1944, p. 1, cols. 2-4.

events precluded much public attention to the dilemma facing both Native and white residents living behind the dam site.

On July 30, 1940, the BOR's Redding office addressed a letter to Florence (Curl) Jones, Winnemem Wintu elder born on the McCloud River. Her address was listed as "Ydalpom P.O." However, in 1938 she had relocated from her home on the McCloud River to a 42-acre parcel of land owned by her then husband Andy Jones; this land (presently the site of the Winnemem Wintu village of Kerekmet) is located at the base of Bear Mountain northeast of Redding. In addition to other tribal elders such as Ida Sisk, Joseph Campbell, and Grant Towendolly, Jones served as a leading informant and representative for the Native people of the Shasta Reservoir region in their dealings with the federal government in the 1940s.⁵⁰ The BOR's letter to Jones stated:

I wish you would meet me at the Curl Cemetery on the McCloud River on Friday Morning at about 9 O'clock A.M. to assist in locating the graves of those persons buried in that cemetery. I also wish you would tell Wess Curl [Florence's brother] to come if he can . . . Anyone you may know who may have knowledge of the exact locations of these graves, would be a help in this job of locating graves.

Yours truly,
John S. Stafford,
[BOR] Right of Way Agent⁵¹

The Curl Cemetery represented just one of many burial sites, at least twenty six in total, that existed along the banks and hills of the river drainage system above the dam site. They included the private cemeteries or burial grounds for several "pioneer" families, Native and white. Many of the cemeteries were assigned family names such as Curl, Radcliff, and Popejoy. The majority of these cemeteries, dating as far back as the 1850s, contained the graves of Native family members; these cemeteries were considered traditional Native burial grounds.⁵² Agent Stafford initiated a two-year (1940-1942) survey to identify as many cemetery sites and graves as possible within the proposed reservoir area, with the eventual plan of moving the graves to a different location. The survey involved interviews with dozens of "Indian" (as specified in Government records) descendants to record family relations as well as birth and death information. These interviewees were the family

⁵⁰ Note that Ida Sisk and Joe Campbell are identified as Wintoon by the Wintoon Tribe (Lovely, et al., 11 October 2005; Wintoon Tribe to Farnham, 8 December 2005.) Campbell has also been described as Wintu by Hogue and Hoveman. Grant Towendolly is identified as Trinity Wintu (LaPena, *Handbook*, 325; Hogue, 35-41; Marcelle Mason, *A Bag of Bones* [Happy Camp, CA: Naturegraph Publishers, Inc., 1966], 7). Jones is identified as Winnemem Wintu (Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.)

⁵¹ John S. Stafford to Mrs. Flora Jones, 30 July 1940, photocopy from the private collection of Mark Franco.

⁵² A traditional grave was dug very shallow and piled with several inches of dirt, forming a mound. Relatives circled the mounds with smooth round rocks. See Hogue, 45-47.

members or ancestors of today's Wintu tribes. In addition to the interview process, BOR agents mapped and staked specific burial sites.⁵³

The grave records created by the BOR provide a moving glimpse of Wintu family histories. Records for the Curl and Popejoy cemeteries alone (which held twenty one and six "Indian" persons, respectively) reveal the deaths of seven children, many infants – one of whom aged only two days – from 1909 to 1920. The year of death most frequently recorded is 1918, the same year of the Great Flu epidemic. Other deaths were more recent. Within a span of eight years, Florence Jones had lost her three-year-old son Howard Richard Charles (1930), her brother William E. Curl, Jr. (1931), her mother Jennie Curl (1937), and her father William Curl (1938).⁵⁴ Now in 1940, Agent Stafford and the BOR sought the assistance of Native families in exhuming the bodies of their deceased relatives, some of whom had only recently been laid to rest.

Government agents gradually worked their way up the river canyons to negotiate allotment purchases with tribal members and to identify those individuals who might need assistance with relocation.⁵⁵ By the end of 1940, many Native residents (exact number not known) had relocated from Copper City to the "squatters camps" or boomtowns around the dam, particularly to take advantage of employment opportunities. Dr. Al Rocca, historian and author of "The Shasta Dam Boomtowns, A Social and Economic History, 1938-1950", states:

The largest contingent of ethnic non-white minorities to work on the dam and live in the boomtown area were the local Wintu Indians. ...dozens of Indians worked on Shasta Dam and lived, for the most part, in and around Summit City. Some Indians, in order to increase their chances of securing employment, utilized Anglicized names such as Sisk, Montgomery, and Popejoy.⁵⁶

Dr. Rocca's statement about the use of Anglicized names is misleading. While an Anglo surname certainly did not hurt a Native person's chances of employment in a white-dominated economy, it was not an attempt to conceal Wintu ancestry. The Popejoy family name, for example, had existed in Shasta County since the 1860s. Vernon M. Popejoy (brother to Charles T. Popejoy, CCC worker)

⁵³ U.S. Department of Interior, Bureau of Reclamation, *The History of Cemeteries, Shasta Reservoir Area Central Valley Project, Kennett Division, Volumes I and II*, February 1942, Box 1, Central Valley Project Records of the Bureau of Indian Affairs, Sacramento Office (Sacramento Indian Agency), RG 75, National Archives-Pacific Region.

⁵⁴ Ibid.; Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.

⁵⁵ Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.

⁵⁶ Rocca, "The Shasta Dam Boomtowns", 211. Dr. Rocca uses the names/terms "Wintu" and "Indians" throughout his paper when referring to the Native people living in the Shasta Reservoir area. He bases his information on a private interview with a boomtown resident named Charles Barros. He also indicates that dam employment records are no longer available, although such records would have likely only noted "Indian" rather than specific tribal affiliations for persons known to have Native blood or heritage.

worked for the P.C.I as a blacksmith from 1937 to 1945; a skilled carpenter as well, he constructed a home one mile from the dam.⁵⁷

However, several Wintu individuals/residents remained on the McCloud River until 1941. In the spring of that year, government pressures for their removal began to escalate. This increase can be attributed to the state Water Project Authority's plans to speed up operations on the CVP, and to new legislation proposed by Secretary of Interior Ickes. According to the *Redding Record-Searchlight*, newly-released federal power commission studies revealed that Northern California would be "faced with a power shortage in 1943 unless new plants [were] brought into production."⁵⁸ As a result, the state wished to complete construction of Shasta Dam and its hydroelectric plant in 1943 instead of 1945. BOR officials concurred that they could meet the new deadline provided that there was adequate funding. Frank W. Clark, the state's Director of Public Works and member of the Water Project Authority, successfully lobbied Congress in January and February of 1941 for an additional CVP appropriation of \$25 million in the upcoming fiscal year.⁵⁹ From 1937 to 1943, Congress consistently appropriated millions of dollars in funding for the CVP. In spite of these generous appropriations, as the December 7, 1938 letter from the Commissioner of Indian Affairs specified, Native allottees (e.g., Jimmie Mitchell) were required to cover the expenses of land purchase transactions (court costs, deed recording fees, etc.) and not the U.S. government.

Specific Congressional legislation was the primary catalyst for the exodus of Native residents that followed. In a letter dated November 7, 1940, Ickes proposed to the Senate a bill that authorized the complete acquisition of Indian lands for the CVP. He wrote: "In view of the progress being made in the construction of the Central Valley project, it is anticipated that a number of Indian allotments will be required in the near future for inundation and other purposes. It is highly desirable, therefore that this legislation be enacted at an early date."⁶⁰ In May and July of 1941, the Senate and House Committees on Indian Affairs drafted bills based on Ickes' proposal (S. 1120 and H.R. 4621, respectively).⁶¹ These bills applied to Indian lands within the proposed project areas for both the

⁵⁷ Lovely et al., Wintoon Tribe, interview, 11 October 2005; Wintoon Tribe to Famham, 8 December 2005.

⁵⁸ "More Money Asked for CV Project; Ickes Opposed to Federal Setup; Plans for Work Speedup Discussed," *Redding Record-Searchlight*, 24 January 1941, p. 4, cols. 1-2.

⁵⁹ "Public Works Director Clark In Statement Additional Allotment By Government Will Speed Project," *Redding Record-Searchlight*, 13 February 1941, p. 1, col. 6.

⁶⁰ U.S. Congress, Senate, *Report No. 245 on the Acquisition of Indian Lands for the Central Valley Project, California*, 77th Cong., 1st sess., 1 May 1941, RG 233, National Archives-Washington D.C., photocopy from the private collection of Mark Franco.

⁶¹ *Ibid.*; U.S. Congress, House, *Report No. 897 on the Acquisition of Indian Lands for the Central Valley Project, California*, 77th Cong., 1st sess., 3 July 1941, RG 233, National Archives-Washington D.C., photocopy from the private collection of Mark Franco.

Shasta Dam and the Friant Dam on the San Joaquin River in Madera and Fresno Counties.⁶² S. 1120 passed a Senate vote in May, 1941. On July 21, 1941, the House of Representatives held a hearing on H.R. 4621. Representative Bertrand W. Gearhart of Fresno, California pleaded the following to the Speaker of the House:

... this bill [H.R. 4261] is one that takes on the characteristics of an emergency. The dam is being constructed and is almost ready for use. Title to some of the land is held by the Indian Bureau. We are very, very anxious that the trade may be made, and that is all the bill provides. The Secretary of the Interior who is the head of the Indian Bureau [Office of Indian Affairs] and also the head of the Bureau of Reclamation will make the trade with the Indians and give them land outside the project and fix the value of the land in the drainage area of the Friant Dam. I ask unanimous consent that a similar Senate bill [S. 1120] may be substituted and considered in lieu of the House bill.⁶³

Representative Gearhart's words once again reflected the U.S. government's urgency in completing the CVP; the project's dams were in fact deemed an "emergency." Furthermore, his statements reveal the tremendous influence and power that Secretary of the Interior Ickes held over the project as the head of both of the Office of the Indian Affairs and BOR (Commissioners Collier and Page reported directly to Ickes.) With the CVP in the national media spotlight, the BOR and State representatives increasingly viewed Shasta Dam as their crown jewel, their shining contribution to Roosevelt's New Deal recovery programs. Completion of the dam within the accelerated time frame was not only critical to California's power supply (and flood control) but for the BOR's image as well. This left little room for land negotiations with Native people, particularly those allottees who were "not possible to locate" according to former Superintendent Nash in his October 25, 1938 letter to the Commissioner of Indian Affairs.⁶⁴

The wording of Representative Gearhart's impassioned speech indicates that he was referring specifically to the Friant Dam. Nonetheless, his speech had the desired effect of convincing

⁶² In 1942, the U.S. House of Representatives introduced a separate bill [H.R. 2989] to acquire a specific tract of land known as the Millerton Rancheria, home of Yokut and Western Mono Indians, located in Madera County. This land tract was located within the proposed reservoir area (Millerton Lake) for the Friant Dam project. H.R. 2989 was signed on July 8, 1942 as Public Law 659 (56 Stat. 650). See the House of Representatives Committee on Interior and Insular Affairs, *Central Valley Project Documents, Part I*, 573-574 and *Use of Millerton Rancheria Act, Statutes at Large*, vol. 56, sec. 659, (8 July 1942).

⁶³ U.S. Congress, House, *Report No. 6191-92 on the Acquisition of Certain Indian Lands for the Central Valley Project*, 77th Cong., 1st sess., 21 July 1941, RG 233, National Archives-Washington D.C., photocopy from the private collection of Mark Franco.

⁶⁴ Nash to Commissioner of Indian Affairs, 25 October 1938.

the House that it should support S. 1120, which applied to all Native lands within the Central Valley Project at the time.⁶⁵ Therefore, the House voted in favor of substituting their bill (H.R. 4261) with the Senate's version. On July 30, 1941, President Roosevelt signed S. 1120 into Public Law 198, or what is known as the Central Valley Project Indian Lands Acquisition Act.⁶⁶ This act contains four key provisions involving the acquisition of lands, compensation for these lands, the use of funds for acquisition of other lands, and the establishment of new cemetery lands for the relocation of Indian burials. Section 1 grants to the United States "all the right, title, and interest of the Indians in and to the tribal and allotted lands within the area embraced by the Central Valley project." Section 2 indicates that:

The Secretary of Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Central Valley project to the credit of the appropriate tribe ... The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for construction of said project to the superintendent of the appropriate Indian Agency⁶⁷

Section 3 specifies that the "funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements for the allottees or heirs."⁶⁸ Thus both Sections 2 and 3 indicate that Secretary of Interior Ickes had ultimate discretion over the amount of compensation and whether or not such funds would be used to acquire new lands for Native allottees and non-landowners. More importantly, Section 3 indicates that allottees would have to pay for the cost of acquiring new property out of their own trust accounts. How would Ickes determine compensation for the loss of tribal lands and homes not covered by the allotments and who would end up covering those costs? The intentionally vague wording of Public Law 198 left such questions unanswered.

The fourth provision of the Act authorized the cemetery survey and removal process that the BOR officials had already initiated in 1940. Section 4 of the Act states:

⁶⁵ Note that Congress would later pass an act in 1942 for specific acquisition of Native lands within the Friant Dam/Millerton Reservoir project in Madera and Fresno Counties. See *Use of Millerton Rancheria Act, Statutes at Large*, vol. 56, sec. 659, (8 July 1942).

⁶⁶ *Acquisition of Indian Lands for the Central Valley Project Act, Statutes at Large*, vol. 55, sec. 612 (30 July 1941); House Committee on Interior and Insular Affairs, *Central Valley Project Documents, Part 1*, 572-573.

⁶⁷ *Ibid.*, section 2.

⁶⁸ *Ibid.*, section 3.

As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu of requiring payment therefor [sic], to establish cemeteries on other lands that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances to the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this Act take effect as of the date the Secretary of Interior authorizes the relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the appropriate tribe, or family⁶⁹

This provision only applied to *known* Indian burial grounds, that is those gravesites that were clearly marked or designated and/or recalled by living descendants to Agent Stafford or other BOR officials. It did not include all Native burials that potentially existed within the proposed Shasta Reservoir area, as demonstrated by the University of California's archaeological survey of the area in 1941. The survey identified at least thirty one burials (containing more than one individual) at a single site along the McCloud River. These burials dated anywhere from 1840 to 1910, most after 1880. The results of the archaeological study were not published until 1952, and the identified burials were not counted among the ones to be relocated by the BOR.⁷⁰ According to Helen Hogue, a BOR official bluntly stated to Joseph Campbell that "The U.S. Government cannot go prospecting for bodies—we must know where they are before we dig."⁷¹ If burials did not lie within the twenty six designated cemeteries recorded by the BOR in its survey of the proposed Shasta Reservoir region, they would be left behind unless Campbell or other tribal leaders insisted that BOR officials find and relocate the graves.⁷²

The Central Valley Indian Lands Acquisition Act essentially superseded all regulations and procedures that had previously applied to negotiations for the purchase of Native land allotments within the CVP area. This included the instructions outlined by the Commissioner of Indian Affairs' December 7, 1938 letter to the Sacramento Indian Agency. Due to the Act's first provision, any

⁶⁹ Ibid., section 4.

⁷⁰ C.E. Smith and W.D. Weymouth, "Reports of the University of California Archaeological Survey, No. 18, Archaeology of the Shasta Dam Area, California," *The University of California Archaeological Survey*, Department of Anthropology, University of California, Berkeley, California, 20 November 1952, 22-31.

⁷¹ Hogue, 45.

⁷² In the spring of 1942, Joe Campbell pointed out to BOR officials the grave of an "Indian girl" located on Norsoni Creek, a tributary of the upper McCloud River. According to Hogue, Campbell pleaded with BOR officials to move the bones of the girl but was at first refused because officials claimed there was no way to identify the grave. Campbell then rowed across the creek and found the two "peculiar" stones marking the girl's grave. As a result, BOR officials relocated the grave. See Hogue, 46.

landowner who had not already signed the necessary allotment sale paperwork before July 30, 1941 was now at a disadvantage. The U.S. held “right, title, and interest” to their property, making the process of completing land purchase contracts irrelevant and unnecessary. According to Nellie Bell, in 1940 and early 1941 some Native landowners received a letter from the U.S. government notifying them that they should apply for a payment on their properties - in other words, that *they* should initiate land purchase negotiations with the Sacramento Indian Agency.⁷³ This may in part have been the Agency’s last attempt to identify and locate allottees and their heirs. Whether or not these notices warned of impending Congressional legislation is unclear. However, by late 1941 residents within the proposed Shasta Reservoir area received notices or “blue sheets” from the Government warning them to evacuate their homes immediately.⁷⁴ Time had run out for Wintu residents on the McCloud and Pit rivers.

The United States’ entry into World War II in early December of 1941 had specific implications for the Wintu community. Once the country entered the war, the Department of Defense classified construction of Shasta Dam and its power plant as a Class A-1 priority defense-related project; this granted the project priority status in the acquisition of money, materials, and labor.⁷⁵ The U.S. needed the expected hydroelectricity from the dam to power war-related industries (primarily ship-building facilities) in the Bay Area and Los Angeles. As many as two thousand dam workers, mostly skilled laborers, left Shasta County to serve in the military or work in higher-paying civilian jobs for the defense industry.⁷⁶ More than fifty Wintu men, some of whom had been working for the P.C.I. or the CCC, also served in the U.S. armed forces during the war. Some Native women (exact number unknown) also worked in support of the war effort.⁷⁷ Thus World War II compounded and accelerated the fragmentation of the Wintu community already initiated in 1938.

⁷³ Lovely et al., Wintoon Tribe, interview, 11 October 2005. Nellie Bell’s mother Lala Stacy (Curl) McDaniel received one of these letters.

⁷⁴ Ibid.; Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005. Tribal elders no longer possess the “blue sheets” or notices that were sent by the U.S. government.

⁷⁵ Rocca, *America’s Shasta Dam*, 5.

⁷⁶ Rocca, *Shasta Dam Boomtowns*, 248. Dr. Rocca states that when America entered World War II, the dam working population stood between 3,000 and 4,000 workers. These workers were engaged in various phases of work – including construction of the dam itself (e.g. pipefitting, pouring concrete), conveyor belts, gravel pits, railroad relocation, power lines, grading, and clearing vegetation from the proposed reservoir site.

⁷⁷ Hoveman, 62. Of the Wintu men who served in the military during World War II, Hoveman lists Joseph Campbell Jr., Alvin Popejoy, Albert Thomas Jr., and “the sons of other families such as the Millers, Philpots, Wards, McDaniels, Lievsays, Miles, and Easelys.” Calvin Richard Sisk, father of Spiritual Leader Caleen Sisk-Franco of the Winnemem Wintu, served in the U.S. Navy during the war (Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.)

By January of 1942, many Native family members had signed consent forms granting permission for the BOR to move their deceased relatives' remains from cemeteries in the proposed Shasta Reservoir area.⁷⁸ The remains of 183 Indian individuals (in addition to 118 white individuals) had been identified by the BOR's survey for removal and re-interment. However, the BOR stated that the "identity of many [of these] individuals could be not be established due to the long time since interment and to the further fact that many of the remains were interred in the early mining days"⁷⁹ On January 5, the BOR entered a contractual agreement with Shasta County indicating that the County accepted a new cemetery, designated the "Central Valley Cemetery" in Summit City, for the re-interment of remains excavated from the Shasta Reservoir cemeteries. However, this new cemetery excluded Indian remains.⁸⁰ According to the *Redding Record-Searchlight*, Public Law 198 (the Central Valley Project Indian Lands Acquisition Act) made "it necessary to have separate places to rebury whites and Indians."⁸¹ While Section 4 of Public Law 198 did not specify separation of white and Native burials, it did indicate that the U.S. government would hold new Indian cemetery lands in trust for "the appropriate tribe, or family."⁸² Therefore, the Secretary of Interior established a separate 4.8-acre cemetery plot, located adjacent to the Central Valley Cemetery (4.3 acres), solely for relocated Native burials. This separate plot was designated the "United States Shasta Reservoir Indian Cemetery."⁸³

⁷⁸ U.S. Department of Interior, *History of Shasta Dam Cemeteries Volumes I and II*. Consent signatures were not handwritten but typed by BOR officials.

⁷⁹ R.S. Calland (District Engineer for Bureau of Reclamation) to Mrs. Winona V. Simmons (County Recorder and ex officio Local Registrar of Vital Statistics), 22 December 1942, photocopy from the private collection of Mark Franco.

⁸⁰ United States Department of Interior Bureau of Reclamation, Central Valley Project, California, *Contract with Shasta County, California, California for Relocation of Certain Existing Cemeteries in Shasta Reservoir Area* (Symbol Ilr-1373), 5 January 1942, recorded on 7 March 1942 in Book 189 at Pg. 8 of Official Records, Shasta County, California.

⁸¹ "Board Passes Cemetery Plan," *Redding Record-Searchlight*, 5 January 1942, p. 1, col. 2.

⁸² *Acquisition of Indian Lands for the Central Valley Project Act, Statutes at Large*, vol. 55, sec. 612 (30 July 1941).

⁸³ United States Department of the Interior Bureau of Reclamation Commissioner to Honorable Harold T. Johnson, House of Representatives, 12 November 1973, photocopy from the private collections of Nellie Bell (Wintoon Tribe) and Mark Franco (Winnemem Wintu). The letter includes an enclosure entitled "Summary of File Information Relating to Cemeteries Relocated During Construction at Shasta Reservoir, Central Valley Project," compiled by the BOR's review of archives in Denver, Colorado.

According to the BOR, Joseph B. Mashburn, Director of the Madera Funeral Home, conducted the removal and re-interment of Indian graves from February 11 to March 23, 1942.⁸⁴ Mashburn had been previously hired by the BOR to oversee the relocation of Native burials from the proposed area of Friant Dam/Millerton Reservoir project in Madera and Fresno Counties in 1941. He traveled to Redding to continue oversight of Native grave removals and re-interments for the Shasta Dam/Reservoir project. However, other sources indicate that BOR construction workers were actually charged with the excavation and reburials. In *America's Shasta Dam, A History of Construction*, Dr. Rocca states that in March of 1942:

Lowry [BOR Construction Engineer] was informed that local Indians were upset about the possibility of flooding the Curl Cemetery. The cemetery had been a traditional burial site and was still held in high regard. Not wanting to create a situation and in complete compliance, Lowry offered to send a work crew out to the cemetery and reinter the bodies to other locations. This decision and the offer of help satisfied Indian leaders, and the work was carried out without incident.⁸⁵

The above passage underscores the BOR's concern with image and reputation during completion of the CVP. The notion that Ralph Lowry did not want to "create a situation" appears peculiar in light of the fact that BOR Agent Stafford had already initiated dialogue with Florence Jones regarding the Curl Cemetery in 1940. Dr. Rocca's passage implies that Lowry was personally concerned with the excavation and reburials. In contrast, an issue of *The Headtower*, a monthly newsletter produced by P.C.I. employees, stated the following:

"Whitey" Hauk has been off on leave of absence, digging new graves and removing the bodies of Kennett [Shasta] Indians who have long since departed for their happy hunting grounds. He has some great yarns to tell about the trinkets that were interred with the remains of these Indians who passed on years and years ago. Some of the braves were buried with their shooting irons strapped around them; one had a full set of gold teeth. His most fantastic story is of the brave who was buried with his horse and saddle, and he says another one was buried sitting down.⁸⁶

⁸⁴ Calland to Mr. Winona V. Simmons, 22 December 1942; R.S. Calland to Dr. John G. Rockwell (Field Representative in Charge, Sacramento Indian Agency), 3 April 1943, photocopy from the private collections of Nellie Bell (Wintoon Tribe) and Mark Franco (Winnemem Wintu). Attached to Calland's letters is a copy of Joseph Mashburn's report on the "Removal and Disposition of the Remains of Deceased Persons From the Shasta Reservoir Area."

⁸⁵ Rocca, *America's Shasta Dam*, 107; Dr. Rocca's *Shasta Dam Boomtowns* thesis indicates that the information cited from *America's Shasta Dam* was based on an oral interview with Charles Barros, a boomtown resident.

⁸⁶ Quoted from Rocca, *America's Shasta Dam*, 112.

This passage, with its colorful but highly stereotypic references, strongly suggests a lack of respect and that neither Lowry or Mashburn supervised all of the grave excavations. According to Dr. Rocca, “Whitey” Hauk was subcontracted by the BOR to perform the grave removal work. Given Hauk’s apparent penchant for storytelling, it is no wonder then, as Helen Hogue states, that tribal elder Joe Campbell “stood tirelessly by during the moving of the Indian graves, watching and checking the reburial of all objects.” The digging and looting of relics (e.g., jewelry, baskets, pipes, ceremonial items, etc.) from Native burial mounds by treasure hunters had been a significant problem in the past for Shasta County.⁸⁷

By the end of 1942, the U.S. government’s forced evacuation of the Shasta Reservoir area was nearly complete. Tribal elders indicate that either in the fall of 1942 or spring of 1943 the last of their McCloud River homes and towns were cleared and bulldozed by BOR construction workers.⁸⁸ The *Redding Record-Searchlight* is silent on this event. Historian Viola May, who apparently witnessed the final evacuation, wrote that residents within the Shasta Reservoir area had “in frantic haste . . . formed a slow moving parade that crept over the narrow canyons to safety.” They “watched [the] dam construction sadly, bewildered and grieved as the rising waters covered their sacred burial grounds.”⁸⁹ Several Wintu families were now left without either property or economic compensation from the federal government.⁹⁰

In February of 1943, the Sacramento Indian Agency received payment from the BOR for the purchase of twenty eight parcels of “Indian” lands/allotments in connection with the Shasta Dam portion of the CVP. According to a letter dated February 18, the Agency received a check from the BOR in the amount of \$46,225; this money was due to approximately 175 heirs and allottees in

⁸⁷ Hogue, 45, 63. Hogue’s original manuscript for *Peaceful Now the Trails* (1948) states that “It has been known for years that Indian treasures and relics were buried all over [Shasta] county.” Treasure hunters often reburied stolen relics for safekeeping. Hogue also indicates that in 1944 “half a carload of these things [Wintu burial relics] were shipped to Berkeley, and another quantity to Pasadena” (Hogue, 45).

⁸⁸ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005. Florence Jones indicated in several conversations and informal interviews throughout her life that the BOR brought in bulldozers to clear cabins, homes, and other structures that remained in the path of rising flood waters.

⁸⁹ Viola P. May et al., “The Ghosts of Yesterday,” *Shasta Dam and Its Builders*, (Redding: Pacific Constructors, Inc., 1945), 15-17, Special Collections, Shields Library, University of California, Davis.

⁹⁰ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005. Caleen Sisk-Franco indicates that many young Wintu men forced to relocate from the McCloud River area, like her father Calvin Richard Sisk, signed up for military service in the early 1940s to avoid being sent to or recruited by Indian boarding schools. Many Native children from the Shasta Reservoir area had previously been sent to the Sherman Institute in California, the Stewart Indian School in Carson City, Nevada, and other boarding schools before the dam was constructed.

amounts ranging from thirty-three cents to \$2,000.⁹¹ Winnemem Wintu Spiritual Leader and elder Caleen Sisk-Franco, tribal elder Nellie Bell, and historian Alice Hoveman indicate that most Native landowners were offered an average of thirty-five dollars per acre for their allotments.⁹² However, as demonstrated by the Stone/Mitchell allotment, acreage values depended on land use type (agricultural, grazing, etc.). Landowners could have been offered anywhere from ten to fifty dollars per acre and, judging by the amount of thirty-three cents, some allottees or their heirs owned less than one acre of land. If the thirty-five dollar-per-acre average is accurate, then the BOR's \$46,225 check represented the sale of approximately 1,321 acres. This illustrates the substantial amount of Native lands and property improvements lost from the dam's construction. This loss does not take into account the lands of tribal members who were never granted an allotment in the first place or the loss of traditional/ceremonial sites with a social, spiritual, and cultural value beyond monetary figures.

Correspondence between the Sacramento Indian Agency and the Office of Indian Affairs from February to May of 1943 offers a rather blunt and striking glimpse of the U.S. government's views on Indian affairs concerning the Shasta Dam project. In a February 18 letter addressed to the Commissioner of Indian Affairs, Superintendent John G. Rockwell stated:

We can find no instructions in our files to the effect that the money derived from this sale can only be spent in the purchase of new land or homes or both. Before disbursing any of these funds in accordance with Individual Indian Money Regulations we would like to be assured there are no other instructions that would modify those contained in the Office letter of December 7, 1938 . . . It is my feeling that only where a sufficiency of funds and present economic and living conditions warrant, should an individual's money be held for the purchase of new land or home or both. . . . We have given thought to the use of these funds for a possible rehabilitation program for the people of the Shasta area. It is our feeling that such a program would stand little chance of being even partly successful. The interests of many of the Shasta County Indians would be served better if they would leave the county entirely. The entire matter of the sale of these Indian allotments to the Bureau of Reclamation and payment for them has dragged on interminably.⁹³

⁹¹ John G. Rockwell (Field Representative in Charge, Sacramento Indian Agency) to the Commissioner of Indian Affairs, 18 February 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁹² Hoveman, 62; Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005; Lovely et al., Wintoon Tribe, interview, 11 October 2005.

⁹³ Rockwell to the Commissioner of Indian Affairs, 18 February 1943. Rockwell succeeded Roy Nash as Superintendent or "Field Representative in Charge" of the Sacramento Indian Agency in 1940.

Rockwell, like his predecessor Nash, favored the termination of BIA services for California's Native people.⁹⁴ Rather than use funds from the BOR purchase to create a new tribal land base or "rehabilitation program" for the Wintu community (actions that would have at least been in keeping with Collier's Indian New Deal), Rockwell wished to pay off the allottees as soon as possible. Each allottee had an Individual Indian Money Account set up for him or her by the Agency; these accounts were credited with a certain portion of funds from the BOR's payment (e.g., Florence Jones' share was \$37.85). Rockwell desired to close the accounts quickly and finalize Sacramento's jurisdiction over a matter that had "dragged on interminably" according to his statement cited above.

Native allottees were also "anxious to get their money," according to Rockwell.⁹⁵ In another letter to the Commissioner of Indian Affairs dated May 18, he enclosed a note from a "Mr. Harvey C. Keluche," a Wintu man living in Napa, California. Mr. Keluche wrote:

Dear Sir:

Will you please send my money to me or give me a definite time when I will get it. I am in need of it. I will be looking for an answer from you right away. If our money is in Sacramento [then] I don't see why we can't have it. It is ours and we want it.⁹⁶

Mr. Keluche's letter expressed the sentiments of many allottees waiting for the U.S. government to meet its promise of compensation. Hogue indicates that Joe Campbell made "frequent trips to Sacramento in order to secure fair dealing" with the Sacramento Indian Agency.⁹⁷

The Office of Indian Affairs, however, did not provide the assurance that Rockwell desired. In a letter dated May 31, Commissioner Collier wrote:

Our letter of December 7, 1938, to which you refer, was approved at the time when the purchase of the land from the Indians was contemplated by means of deeds to be approved by the Secretary of the Interior . . . In view of the fact that many of the Indians could not be located or were deceased, the Act of July 30, 1941 (55 Stat. 612) was enacted to obviate the necessity of attempting to obtain the signature of the Indians. Section 3 of the Act provides . . . [that] 'funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements' . . . It seems, therefore, that it was expected that the money be used for

⁹⁴ Melendrez, 28-29.

⁹⁵ Rockwell to the Commissioner of Indian Affairs, 18 February 1943.

⁹⁶ John G. Rockwell to the Commissioner of Indian Affairs, 18 May 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. The note from Mr. Keluche was attached to Rockwell's letter.

⁹⁷ Hogue, 63.

purchase of other lands, but the language ‘may be used’ implies that this would not be required. Each case must therefore be considered on its own merits, and as provided in the regulations, any expenditures of more than \$500 for unrestricted use should be submitted to this Office for approval.⁹⁸

Nash’s feeling that it would be impossible to locate all allottees for land sales had now come full circle. The DOI and Office of Indian Affairs passed on two clear messages to the Agency and the Wintu people of Shasta County. First, Public Law 198 did not promise that new lands would be purchased; Ickes’ merely *expected* that lands would be purchased with allotment sale funds. The law’s wording released the U.S. government from the responsibility of providing new lands for Native people dispossessed by the CVP. Second, the Sacramento Indian Agency would have to determine how the funds of individual accounts would be used; this seems like a win/win answer for the Agency and most allottees, as both parties wanted individual checks to be distributed immediately. However, this also meant that Wintu individuals who were not enrolled as members of California’s existing rancherias and reservations (e.g., Redding Rancheria) were left without federally entrusted property on which to restore a tribal land base.

In addition, the U.S. government made clear that Public Law 198 superseded the provisions previously outlined in the Office of Indian Affairs letter dated December 7, 1938. U.S. Indian policy had changed since many landowners had signed over their allotment deeds; therefore, the conditions of the Office of Indian Affairs’ letter no longer applied. The economic fate of many (not all) Native people in Shasta County depended on the actions of the Sacramento Indian Agency, an agency close to being abolished.⁹⁹ Employment in dam construction or other boomtown industries provided the economic means for some Wintu men and women to adjust more readily or easily to the impacts of Shasta Dam and the CVP. Nonetheless, many Native people lost title to all of the lands that the federal government had ever allotted (and would ever grant) to them as Wintu Indians.

By the time the Shasta Dam power plant commenced operation on July 14, 1944, the reservoir area had been entirely deserted and submerged. On December 22, 1944, at 11:30 a.m., the P.C.I. lowered the final bucket of concrete on Shasta Dam. Construction workers along with Superintendent Crowe, proudly posed for a *Redding Record Searchlight* photographer before a large sign stating, “LAST BUCKET OF CONCRETE, SHASTA DAM, PLACED UNDER DIRECTION OF U.S. BUREAU OF RECLAMATION BY PACIFIC CONSTRUCTORS

⁹⁸ Commissioner of Indian Affairs to Mr. John G. Rockwell, 31 May 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁹⁹ Melendrez, 147. The Sacramento Indian Agency was abolished in 1945, after Collier resigned as the Commissioner of Indian Affairs.

INC., 6,535,000 YARDS, JULY 8, 1940 TO DEC. 22, 1944.”¹⁰⁰ No Wintu workers were among those photographed with Crowe. Dr. Rocca states that the “building of Shasta Dam was a national effort undertaken at a time when America desperately needed to believe in herself; a time when Depression-weary families migrated thousands of miles in search of government sponsored work projects, with the hope of beginning a new life in California.”¹⁰¹ This dream came at a heavy cost to one group of Native Californians.

The Wintu experienced traumatic personal, spiritual, and economic losses from the CVP. But perhaps their greatest loss was one of cultural unity. Despite previous intrusions on their tribal territory, Native families on the McCloud and Pit rivers had developed a strong community in the early twentieth century – one that accommodated Anglo-American culture and economies while maintaining Native traditions through kinship ties, religious practices, and life on ancestral homelands. Indeed, the Wintu’s spiritual connections with the lands and rivers of the Shasta Reservoir region are deeply rooted.¹⁰² The construction of Shasta Dam triggered a second Gold Rush, with the “gold” taking the form of government-sponsored jobs. Within five years, a combination of factors directly and indirectly tied to Shasta Dam tore apart the social fabric of this Native community. Loss of tribal lands and sacred sites combined with disruption of ancestral graves proved a significant cultural blow and promoted a factionalism that has lingered until the present day.

The people of today’s Wintu tribes possess a different perspective of Shasta Dam than most other Californians, or Americans for that matter. The dam is often extolled as a massive concrete monument to BOR engineering, American labor skill, and national progress. For the tribes, however, the dam represents human tragedy mixed in part with pride in their relatives’ (e.g., Vernon M. Popejoy’s) contributions during the Great Depression, New Deal, and World War II eras. The dam is a bittersweet reminder of the social and cultural sacrifices of Shasta County’s Native people. Caleen Sisk-Franco states that the U.S. government “robbed us [the Winnemem Wintu] of a history of being born on the [McCloud] river.”¹⁰³ This is the real legacy of the Central Valley Project for the

¹⁰⁰ Richard L. Mallery, “PCI Pours Last Concrete on Dam,” *Redding Record-Searchlight*, 23 December 1944, p. 1, cols. 2-3.

¹⁰¹ Rocca, *America’s Shasta Dam*, 5.

¹⁰² Mt. Shasta, known as *Bohem Puyuk* in Wintu, is a traditional spirit mountain for the Wintu people. For more information on Wintu spiritual beliefs associated with Mt. Shasta and the surrounding environment, including sites along the McCloud River, see Dorothea J. Theodoratus and Frank R. LaPena, David. L. Carmichael ed. “Wintu Sacred Geography of Northern California,” in *Sacred Sites, Sacred Places* (New York: Routledge, 1998), 20-32. See also Dorothea J. Theodoratus and Nancy H. Evans, “Native American Interview” in *Native American Folklore of Mount Shasta*, available at <http://www.siskiyous.edu/shasta/fol/nat/theo.htm>.

¹⁰³ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005.

people of the Wintu, the severing of a historical link with the lands and rivers behind Shasta Dam. The words of one yet unnamed Wintu man - "Their sleep is to be desecrated" - haunt the waters of Shasta Reservoir.

To the people of Wintu descent in Shasta County, California – living and deceased

To Glenna Belle Richards, my maternal grandmother

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